

State of Iowa
1923

Journal of the Senate

OF THE

Fortieth General Assembly

REGULAR SESSION
CONVENED JANUARY 8, 1923
ADJOURNED APRIL 17, 1923



N. E. KENDALL, Governor
JOHN HAMMILL, President of the Senate
J. H. ANDERSON, Speaker of the House

Published by
The State of Iowa
Des Moines

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EXCHANGE

FORTIETH GENERAL ASSEMBLY

OFFICERS OF THE SENATE

President.....	JOHN HAMMILL
President Pro Tempore.....	BYRON W. NEWBERRY
Secretary.....	L. W. AINSWORTH
Assistant Secretary.....	WALTER H. BEAM
Reading Clerk.....	EDWARD F. BAKER
Enrolling Clerk.....	EDYTHE DITTO
Engrossing Clerk.....	MAE MCCLEAN
Journal Clerk.....	MERYL HOFFLE
Journal Clerk.....	E. L. SIMMONS
Bill Clerk.....	PAUL W. SIMS
File Clerk.....	GLEN L. STEINHILBER
Postmistress.....	LUCILLE D. PATTERSON
Sergeant-at-Arms.....	T. D. DOKE
Chief Doorkeeper.....	O. W. LOWERY

MEMBERS OF THE SENATE

IV

Name	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Abben, Ben C., Jr.	Little Rock	35	Banker	Rep.	49	Lyon, O'Brien, Osceola, Sioux	39th
Adams, Henry C.	Algon	47	Farm Loans	Rep.	47	Clay, Dickinson, Emmet, Kosuth, Palo Alto	37, 38, 39th
Baird, W. S.	Council Bluffs	59	Lawyer, Banker	Rep.	19	Pottawattamie	39th
Banta, George S.	Manchester	38	Farmer	Rep.	33	Buchanan, Delaware	39th
Bergman, A. H.	Newton	55	Manufacturer	Rep.	29	Jasper	
Bowman, M. L.	Waterloo	40	Farmer	Rep.	38	Black Hawk, Grundy	
Brookhart, J. L.	Washington	51	Farmer and Lawyer	Rep.	10	Henry, Washington	38, 39th
Brookins, A. T.	Charles City	39	Farmer	Rep.	44	Chickasaw, Floyd	
Browne, Charles S.	Monmouth	47	Farmer and Breeder	Rep.	23	Jackson	39th
Buser, J. D.	Conesville	55	Farmer	Rep.	20	Louisa, Muscatine	38, 39th
Caldwell, W. A.	Onkalooma	36	Mfg. and Farmer	Rep.	14	Mahaska	39th
Campbell, Ed. H.	Battle Creek	40	Lawyer	Rep.	46	Cherokee, Ida, Plymouth	34th
Cessna, T. C.	Grinnell	55	Farmer and Stock Dealer	Rep.	12	Keokuk, Poweshiek	38, 39th
*Chase, D. C.	Webster City	63	Lawyer	Rep.	37	Hamilton, Hardin, Wright	36, 37th
Darting, H. A.	Glenwood	49	Manufacturer	Rep.	8	Mills, Montgomery	39th
Dutcher, Chas. M.	Iowa City	53	Lawyer	Rep.	25	Iowa, Johnson	39th
Ethell, John J.	Bloomfield	49	Farm Loans and Abstracts	Rep.	3	Appanoose, Davis	39th
Fulton, Chas. J.	Fairfield	62	Manufacturer	Rep.	2	Jefferson, Van Buren	33, 34, 39th
Gilchrist, F. C.	Laurens	54	Lawyer	Rep.	50	Buena Vista, Humboldt, Pocahontas	29th
Goodwin, Wm. J.	Des Moines	44	Manufacturer	Rep.	30	Polk	
Hale, J. K.	Anamosa	64	Merchant and Farmer	Rep.	24	Cedar, Jones	36, 37, 38, 39th
Hartman, George S.	Fayette	51	Merchant	Rep.	40	Allamakee, Fayette	39th
Haskell, W. G.	Cedar Rapids	65	Mfg. and Merchant	Rep.	26	Linn	37, 38, 39th
Holdoegel, Perry O.	Rockwell City	53	Farming, Banking	Rep.	27	Calhoun, Webster	37, 38, 39th
Horchem, B. J.	Dubuque	56	School Principal	Dem.	35	Dubuque	36, 37, 38, 39th
Johnston, James F.	Chariton	47	Farmer	Rep.	4	Lucas, Wayne	36, 37, 38, 39th

MEMBERS OF THE SENATE

Kimberly, D. W.	Davenport	45	Retired Farmer	Rep	21	Scott	36, 37, 38, 39th
McIntosh, J. A.	Leon	52	Clothing Merchant	Rep.	5	Decatur, Ringgold, Union	39th
Manta, H. J.	Audubon	43	Lawyer	Rep.	17	Audubon, Dallas, Guthrie	37, 38, 39th
Mead, O. L.	Shell Rock	47	Banker and Farmer	Rep.	39	Bremer, Butler	37, 38, 39th
Nelson, Julius A.	Atlantic	50	Farmer	Rep.	18	Cass, Shelby	38, 39th
Newberry, Byron W.	Strawberry Point	69	Attorney	Rep.	36	Clayton	30, 31, 32, 37, 38, 39th
Olson, Charles	Beaver	52	Stock Feeder and Breeder	Rep.	31	Boone, Story	39th
Perkins, Geo. B.	Sac City	48	Banker	Rep.	48	Carroll, Greene, Sac	38, 39th
Price, John R.	Albia	47	Lawyer	Rep	15	Marion, Monroe	37, 38, 39th
Reed, Carl W.	Cresco	49	Lawyer	Rep.	42	Howard, Winnebiek	38, 39th
Rees, S. C.	Hamburg	69	Farming and Real Estate	Rep.	7	Fremont, Page	36, 37th
Romkey, E. W.	Burlington	53	Farmer	Rep.	9	Des Moines	
†Schmedika, Wm.	Radcliffe		Farmer	Dem.	37	Hamilton, Hardin, Wright	36th
Scott, Ray P.	Marshalltown	38	Attorney	Rep.	28	Marshall	38, 39th
Shaff, J. O.	Camanche	37	Farmer	Rep.	22	Clinton	37th
Shane, Frank	Ottumwa	47	Insurance	Rep.	13	Wapello	34th
Shinn, A. J.	Woodbine	56	Farming	Rep	34	Crawford, Harrison, Monona	
Slosson, J. M.	Northwood	46	Farming, Real Estate	Rep.	41	Mitchell, Winnebago, Worth	37, 38, 39th
Smith, Ed. M.	Winterset	52	Publisher	Rep.	16	Adair, Madison	37, 38, 39th
Snook, I. N.	Ft. Madison	74	Farmer	Dem.	1	Lee	
Stoddard, B. M.	Slova	52	Grain Dealing	Rep.	32	Woodbury	38, 39th
Thurston, Lloyd	Oscola	42	Lawyer	Rep.	11	Clarke, Warren	39th
Tuck, J. C.	Corning	56	Farmer	Rep.	6	Adams, Taylor	39th
White, Harry C.	Vinton	52	Farmer and Banker	Dem.	45	Benton, Tama	34, 35, 39th
Wichman, John E.	Garner	63	Lawyer	Rep.	43	Cerro Gordo, Franklin, Hancock	37, 38, 39th

Republicans 45. Democrats 4. (After Schmedika succeeded Chase.)

*Died March 2, 1923.

†Elected to fill vacancy caused by death of D. C. Chase

ELECTIVE STATE OFFICERS

ELECTIVE STATE OFFICERS

Official Address—Des Moines, Iowa

Name	Office	Address
N. E. Kendall	Governor	Albia
John Hammill	Lieutenant Governor	Britt
Walter C. Ramsay	Secretary of State	Belmond
Glenn C. Haynes	Auditor of State	Mason City
W. J. Burbank	Treasurer of State	Waterloo
Ben J. Gibson	Attorney General	Corning
Dwight N. Lewis	Railroad Commissioner	Des Moines
Charles Webster	Railroad Commissioner	Waucoma
Fred P. Woodruff	Railroad Commissioner	Knoxville
May E. Francis	Superintendent of Public Instruction	Waverly
William D. Evans	Judge of Supreme Court	Hampton
Truman S. Stevens	Judge of Supreme Court	Hamburg
Byron W. Preston	Judge of Supreme Court	Oskaloosa
Thomas Arthur	Judge of Supreme Court	Logan
Silas M. Weaver	Judge of Supreme Court	Iowa Falls
Lawrence DeGraff	Judge of Supreme Court	Des Moines
F. F. Faville	Judge of Supreme Court	Fort Dodge

MEMBERS OF THE HOUSE

Fortieth General Assembly

Member	County	Member	County
Aiken.....	Ida	Lichty.....	Black Hawk
Anderson.....	Webster	Liebernecht.....	Louisa
Anderson.....	Winnebago	Long.....	Jefferson
Berry.....	Monroe	Lovrien.....	Humboldt
Blake.....	Fayette	Mathews.....	Des Moines
Blume.....	Crawford	Matthieson.....	Clinton
Brady.....	O'Brien	McClune.....	Mahaska
Bradley.....	Poweskiek	Miller.....	Shelby
Brittain.....	Madison	Moen.....	Lyon
Buffington.....	Mills	Napier.....	Ringgold
Carter.....	Hardin	Natvig.....	Howard
Children.....	Pottawattamie	Noble.....	Muscatine
Clark.....	Linn	O'Donnell.....	Dubuque
Colbert.....	Union	Oliver.....	Monona
Cole.....	Harrison	Olson.....	Clinton
Criswell.....	Boone	Ontjes.....	Grundy
Dewar.....	Cherokee	Orr.....	Keokuk
Diltz.....	Polk	Patterson.....	Kossuth
Donhowe.....	Story	Parsons.....	Calhoun
Dooley.....	Van Buren	Peterson.....	Henry
Doolittle.....	Delaware	Potts.....	Lee
Dotts.....	Wayne	Powers.....	Page
Edge.....	Jasper	Quirk.....	Sac
Edson.....	Buena Vista	Ramsey.....	Butler
Elliott.....	Scott	Rankin.....	Lee
Fackler.....	Adams	Rassler.....	Pocahontas
Forsling.....	Woodbury	Rewoldt.....	Bremer
Frahm.....	Carroll	Rhinehart.....	Dallas
Gallagher.....	Iowa	Robson.....	Greene
Garber.....	Adair	Rumley.....	Decatur
Garber.....	Floyd	Rust.....	Franklin
Gesman.....	Marion	Sampson.....	Audubon
Gibson.....	Clark	Saunders.....	Palo Alto
Gilbert.....	Marshall	Schirmer.....	Jackson
Gilbertson.....	Winneshiek	Schulte.....	Worth
Gilmore.....	Cedar	Scott.....	Appanoose
Graham.....	Wapello	Scott.....	Fremont
Grimwood.....	Jones	Slemmons.....	Buchanan
Hansen.....	Scott	Smith.....	Lucas
Harrison.....	Pottawattamie	Smith.....	Chickasaw
Hattendorf.....	Osceola	Springer.....	Decatur
Hauge.....	Polk	Stock.....	Allamakee
Healy.....	Hancock	Stookesberry.....	Davis
Held.....	Plymouth	Storey.....	Warren
Hempel.....	Clayton	Strippel.....	Benton
Henderson.....	Hamilton	Ulstad.....	Wright
Himebauch.....	Emmet	Venard.....	Sioux
Hollis.....	Black Hawk	Vincent.....	Guthrie
Huff.....	Cass	Wamstad.....	Mitchell
Johnson.....	Dickinson	Weber.....	Dubuque
King.....	Clay	Wilson.....	Tama
Knutson.....	Cerro Gordo	Williams.....	Montgomery
Lake.....	Woodbury	Wolfe.....	Linn
Leonard.....	Taylor	Yenter.....	Johnson
Letts.....	Washington		



JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 8, 1923.

Pursuant to law, the senate of the Fortieth General Assembly convened at 10 o'clock a. m., and was called to order by Lieutenant Governor John Hammill, president of the senate.

Prayer was offered by Col. L. W. Ainsworth, secretary of the senate.

TEMPORARY OFFICERS

Senator Reed moved that the following persons be made the temporary officers of the Senate of the Fortieth General Assembly:

Secretary, Col. L. W. Ainsworth, Des Moines.
Assistant Secretary, Walter H. Beam, Martensdale.
Reading Clerk, Edward Baker, Centerville.
Engrossing Clerk, Mae McClean, Des Moines.
Enrolling Clerk, Edythe Ditto, Ankeny.
Journal Clerk, Meryl Hoefle, Des Moines.
Journal Clerk, E. L. Simmons, Fairfield.
Bill Clerk, Paul Sims, Sioux City.
Postmistress, Lucile Patterson, Des Moines.
Sergeant-at-arms, T. D. Doke, Bloomfield.
Chief Doorkeeper, O. W. Lowrey, Des Moines.
Assistant Doorkeepers, J. R. White, Webster City; W. H. Foster, Council Bluffs; E. L. Stilson, Corwith; Jack Heffelfinger, Grundy Center; Clark Wilson, Audubon; Warren Turner, Clinton.
Chief Janitor Cloak Room, W. T. Jones, Des Moines.
Assistant Janitor Cloak Room, C. B. Woods, Des Moines.
Chief Janitor Toilet Room, Henry Jones, Albia.

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

Senator Brookhart moved that a committee of three be appointed as a committee on credentials. Carried.

The President appointed as such committee Senators Brookhart, Fulton and Campbell.

REPORT OF COMMITTEE ON CREDENTIALS

Senator Brookhart, 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 Fortieth General Assembly, and all are present:

First District, I. N. Snook.
Seventh District, S. C. Rees.
Ninth District, E. W. Romkey.
Tenth District, J. L. Brookhart.
Twelfth District, T. C. Cessna.
Thirteenth District, Frank Shane.
Eighteenth District, Julius A. Nelson.
Twentieth District, J. D. Buser.
Twenty-first District, D. W. Kimberly.
Twenty-second District, J. O. Shaff.
Twenty-ninth District, A. H. Bergman.
Thirtieth District, Wm. J. Goodwin.
Thirty-fourth District, A. J. Shinn.
Thirty-fifth District, B. J. Horchem.
Thirty-seventh District, D. C. Chase.
Thirty-eighth District, M. L. Bowman.
Forty-second District, Carl W. Reed.
Forty-fourth District, A. T. Brookins.
Forty-fifth District, Harry C. White.
Forty-eighth District, Geo. B. Perkins.
Fiftieth District, F. C. Gilchrist.

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

Second District, Charles J. Fulton.
Third District, John J. Ethell.
Fourth District, Jas. F. Johnston.
Fifth District, J. A. McIntosh.
Sixth District, J. C. Tuck.
Eighth District, H. A. Darting.
Eleventh District, Lloyd Thurston.
Fourteenth District, W. A. Caldwell.
Fifteenth District, John R. Price.
Sixteenth District, Ed. M. Smith.
Seventeenth District, H. J. Mantz.
Nineteenth District, W. S. Baird.
Thirty-third District, George S. Banta.
Twenty-fourth District, J. K. Hale.
Twenty-fifth District, Chas. M. Dutcher.
Twenty-sixth District, W. G. Haskell.
Twenty-seventh District, Perry C. Holdoegel.
Twenty-eighth District, Ray P. Scott.
Thirty-first District, Charles Olson.
Thirty-second District, B. M. Stoddard.
Twenty-third District, Charles S. Browne.
Thirty-sixth District, Byron W. Newberry.
Thirty-ninth District, O. L. Mead.

Fortieth District, George S. Hartman.

Forty-first District, J. M. Slosson.

Forty-third District, John E. Wichman.

Forty-sixth District, Ed. H. Campbell.

Forty-seventh District, Henry C. Adams.

Forty-ninth District, Ben C. Abben.

On the adoption of the report the vote was:

Ayes, 49.

Abben	Chase	Kimberly	Shane
Adams	Darting	McIntosh	Shinn
Baird	Dutcher	Mantz	Slosson
Banta	Ethell	Mead	Smith
Bergman	Fulton	Nelson	Snook
Bowman	Gilchrist	Newberry	Stoddard
Brookhart	Goodwin	Perkins	Thurston
Brookins	Hale	Price	Tuck
Browne	Hartman	Reed	White
Buser	Haskell	Rees	Wichman
Caldwell	Holdoegel	Romkey	
Campbell	Horchem	Scott	
Cessna	Johnston	Schaff	

Nays, none.

Absent or not voting, 1—Olson.

The report was adopted.

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:

I. N. Snook	Wm. J. Goodwin
S. C. Rees	A. J. Shinn
E. W. Romkey	B. J. Horchem
J. L. Brookhart	D. C. Chase
T. C. Cessna	M. L. Bowman
Frank Shane	Carl W. Reed
Julius A. Nelson	A. T. Brookins
J. D. Buser	Harry C. White
D. W. Kimberly	Geo. B. Perkins
J. O. Schaff	F. C. Gilchrist
A. H. Bergman	

ELECTION OF PERMANENT OFFICERS

Senator Reed placed in nomination the following persons as permanent officers of the senate and moved their election:

Secretary, Col. L. W. Ainsworth, Des Moines.

Assistant Secretary, Walter H. Beam, Martensdale.

Reading Clerk, Edw. Baker, Centerville.

Engrossing Clerk, Mae McClean, Des Moines.

Enrolling Clerk, Edythe Ditto, Ankeny.

Journal Clerk, Meryl Hoefle, Des Moines.

Journal Clerk, E. L. Simmons, Fairfield.

Bill Clerk, Paul Sims, Sioux City.

Postmistress, Lucille Patterson, Des Moines.

Sergeant at Arms, T. D. Doke, Bloomfield.

Chief Doorkeeper, O. W. Lowery, Des Moines.

Assistant Doorkeepers, J. R. White, Webster City; W. H. Foster, Council Bluffs; E. L. Stilson, Corwith; Jack Heffelfinger, Grundy Center; Clark Wilson, Audubon; Warren Turner, Clinton.

Chief Janitor Cloak Room, W. T. Jones, Des Moines.

Assistant Janitor Cloak Room, C. B. Woods, Des Moines.

Chief Janitor Toilet Room, Henry Jones, Albia.

Those voting for the above named persons were:

Ayes, 49.

Abben	Chase	Kimberly	Shane
Adams	Darting	McIntosh	Shinn
Baird	Dutcher	Mantz	Slosson
Banta	Ethell	Mead	Smith
Bergman	Fulton	Nelson	Snook
Bowman	Gilchrist	Newberry	Stoddard
Brookhart	Goodwin	Perkins	Thurston
Brookins	Hale	Price	Tuck
Browne	Hartman	Reed	White
Buser	Haskell	Rees	Wichman
Caldwell	Holdoegel	Romkey	
Campbell	Horchem	Scott	
Cessna	Johnston	Schaff	

Nays, none.

Absent or not voting, Olson.

The foregoing permanent officers were declared elected and appeared before the bar of the senate and were duly sworn.

Senator Thurston moved that a committee of three be appointed to notify the house that the senate is organized and ready for business. The motion prevailed and the president appointed as such committee Senators Thurston, Cessna and Shaff.

Senator McIntosh moved that a committee of three be selected to notify the governor that the senate is now organized and ready for business. The motion prevailed and the president appointed as such committee Senators McIntosh, Kimberly and Bowman.

ADOPTION OF RULES

Senator Dutcher moved that the senate be governed by the rules of the Thirty-ninth General Assembly until the committee on rules is ready to report. Carried.

SELECTION OF SEATS

Senator Slosson moved 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 each name is announced, each newly elected senator shall select his seat from those seats that are unoccupied.

Senator Price moved that Senator Chase be allowed to select his seat before the drawing. The motion prevailed and Senator Chase selected Seat No. 15.

Senator Stoddard moved that any hold-over or re-elected Senator that did not wish to retain his seat be allowed to cast his lot with the newly elected senators. Motion carried.

Senator Stoddard asked unanimous consent for Senator Olson, who was absent, to retain his seat. Consent granted.

Senator Caldwell asked unanimous consent be given Senators Wichman and Tuck to select their seats first on account of defective hearing. Consent granted.

Senator Price moved that Senator Romkey be permitted to have Seat No. 17, on account of defective eyesight. Carried.

Upon the drawing of seats the following selections were made:

Abben—14	Fulton—50	Price—19
Adams—35	Gilchrist—1	Reed—25
Baird—28	Goodwin—13	Rees—10
Banta—42	Hale—27	Romkey—17
Bergman—36	Hartman—46	Scott—44
Bowman—5	Haskell—37	Shaff—34
Brookhart—31	Holdoegel—23	Shane—6
Brookins—4	Horchem—26	Shinn—9
Browne—20	Johnston—29	Slosson—49
Buser—30	Kimberly—33	Smith—11
Caldwell—7	McIntosh—3	Snook—2
Campbell—45	Mantz—38	Stoddard—16
Cessna—18	Mead—39	Thurston—47
Chase—15	Nelson—22	Tuck—21
Darting—41	Newberry—32	White—43
Dutcher—12	Olson—40	Wichman—24
Ethell—8	Perkins—48	

COMMITTEE FROM THE HOUSE

A committee from the house reported that the house was duly organized and ready to receive communications.

Senator Brookhart moved that Rule 33 be suspended for the day. Motion lost.

Senator McIntosh reported that the committee assigned to report to the governor that the senate was open and ready for business had performed their duty and that the governor reports he is ready to receive any communications.

ASSIGNMENT OF SEATS IN PRESS GALLERY

Senator Smith moved that the secretary be authorized to assign seats to representatives of the press. Motion carried.

The secretary assigned the following seats:

Register and Tribune—51; Capital—52; J. W. Jarnagin—56; News—53; F. R. Conway—54; Carl Stewart—55.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Johnston moved that a president pro tempore be elected. Motion carried.

Senator Newberry nominated Senator J. R. Price of Monroe county. Those voting for Senator Price were:

Ayes, 45.

Abben	Chase	Kimberly	Shane
Adams	Darting	McIntosh	Shinn
Baird.	Ethell	Mantz	Slosson
Banta	Fulton	Mead	Smith
Bergman	Gilchrist	Nelson	Snook
Bowman	Goodwin	Newberry	Stoddard
Brookins	Hale	Perkins	Tuck
Browne	Hartman	Reed	White
Buser	Haskell	Rees	Wichman
Caldwell	Holdoegel	Romkey	
Campbell	Horchem	Scott	
Cessna	Johnston	Schaff	

Nays, none.

Absent or not voting, 5—Brookhart, Dutcher, Olson, Price, Thurston.

Senator Price was declared elected president pro tempore of the senate.

The president appointed Senators Johnston and Newberry to escort Senator Price to the chair where he took the oath of office and was presented to the senate by President Hammill.

Senator Price made the following remarks:

"I hardly understand why the distinction in the oath of office administered the senators who were sworn in this morning, and myself. The oath administered the senators sworn in this morning did not include the words, "So help you God." Perhaps the president of the senate thought they did not need it. He looked at me and from my appearance, or at least from my conduct this morning, thought I would need the aid of Divine guidance.

As I look over this senate this morning I feel very much like a preacher who came here some forty years ago to open the session with prayer. He said that as he looked the senate over he thought he would not pray for the senators, but would pray for the state.

I thank you for the honor you have conferred upon me and I trust that I will so conduct myself that you will not be very much ashamed of me."

COMMITTEE ON CHAPLAINS

Senator Gilchrist moved that a committee of three be appointed to provide chaplains for the senate during the Fortieth General Assembly. Motion carried.

The president appointed as such committee Senators Gilchrist, Slosson and Romkey.

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:

Resolution relative to the holding of a joint convention on Tuesday, January 9, at 2 p. m.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION

Senator Stoddard called up the following house concurrent resolution:

Be It Resolved by the House, the Senate concurring, That a joint convention of the houses of the Fortieth General Assembly be held January 9, 1923, at 2:00 p. m.

Be It Further Resolved, That Governor Kendall 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.

By unanimous consent the resolution was taken up and considered.

On the question, "Shall the resolution be concurred in," the vote was:

Ayes, 46.

Abben	Chase	McIntosh	Shane
Adams	Darting	Mantz	Shinn
Baird	Ethell	Mead	Slosson
Banta	Fulton	Nelson	Smith
Bergman	Gilchrist	Newberry	Snook
Bowman	Goodwin	Perkins	Stoddard
Brookins	Hale	Price	Thurston
Browne	Hartman	Reed	Tuck
Buser	Holdoegel	Rees	White
Caldwell	Horchem	Romkey	Wichman
Campbell	Johnston	Scott	
Cessna	Kimberly	Schaff	

Nays, 0.

Absent or not voting, 4.

Brookhart, Dutcher, Haskell, Olson.

The resolution having received a constitutional majority was declared to have been adopted by the senate.

COMMITTEE ON MILEAGE

Senator Abben moved that the president of the senate appoint a committee of three on mileage. Motion carried.

The president appointed the following committee: Senators Abben, Perkins and Buser.

COMMITTEE ON COMMITTEE ROOMS

Senator Hale moved that a committee of three be appointed to assign the committee rooms. Motion carried.

The president appointed the following committee: Senators Hale, Kimberly and Fulton.

BADGES

Senator Goodwin moved that the secretary be authorized to secure suitable badges for such officers as require them. Motion carried.

TELLERS FOR JOINT CONVENTION

Senator Goodwin moved that a committee of three be appointed 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 Senators Dutcher, White and Bowman.

COMMITTEE TO EXAMINE COMMITTEE CLERKS

Senator Horchem offered the following resolution and moved its adoption:

Resolved, That each senator and the lieutenant governor be and is hereby authorized to appoint a committee clerk who shall be a competent stenographer, said selections to be made and announced from the floor of the senate by each senator and by the lieutenant governor not later than the day on which the committees are announced by the lieutenant governor:

Provided, however, that any senator who chooses may arrange to divide the work of his committee clerk with one or more senators, said arrangements to be announced from the floor of the senate and to be made permanent for the remainder of the session. Each clerk shall be sworn in when found proficient by a committee of three which the president of the senate is hereby authorized to appoint.

The resolution was adopted and the President appointed as such committee Senators Horchem, Baird and Darting.

RESOLUTION FOR FURNISHING CODES

Senator Newberry offered the following resolution and moved its adoption:

Be It Resolved by the Senate, the House concurring: That the secretary of state be requested to furnish each member of the Fortieth 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 the supplement to the code, 1913, one copy of the supplemental supplement, 1915, and index, one copy of the compiled code, 1919, and supplement to compiled code, 1921, and one copy of the session laws of the Thirty-eighth and Thirty-ninth G. A.; and to each of the representatives of the press, as far as possible, one copy of the code, 1897, one copy of the code supplement, 1913, supplemental supplement, 1915, and index, and one copy of the compiled code.

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

Ayes, 47.

Abben	Cessna	Johnston	Scott
Adams	Darting	Kimberly	Schaff
Baird	Dutcher	McIntosh	Shane
Banta	Ethell	Mantz	Shinn
Bergman	Fulton	Mead	Slosson
Bowman	Gilchrist	Nelson	Smith
Brookhart	Goodwin	Newberry	Snook
Brookins	Hale	Perkins	Stoddard
Browne	Hartman	Price	Thurston
Buser	Haskell	Reed	White
Caldwell	Holdoegel	Rees	Wichman
Campbell	Horchem	Romkey	

Nays, none.

Absent or not voting, 3.

Chase, Olson, Tuck.

The resolution having received a constitutional majority was declared to have been adopted by the senate.

RESOLUTION ON CODE REVISION

Senator Holdoegel offered the following resolution and moved its adoption:

Be It Resolved by the Senate, the House Concurring:

Sec. 1. That the president of the senate is hereby requested to appoint eight senators, and the speaker of the house is hereby requested to appoint eight representatives, who shall constitute a joint committee of the house and senate, and said committee shall, as soon as appointed, consider the matter of code revision, and report to both houses not later than Monday, January 15, 1923, whether they deem it advisable for the Fortieth General Assembly at its regular session to undertake the revision of the code, and if so, to recommend a method of procedure therefor to the house and the senate for their consideration, said recommendation to be made after the delivery of the Governor's inaugural address.

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

Ayes, 45.

Abben	Cessna	Kimberly	Shane
Adams	Chase	McIntosh	Shinn
Baird	Darting	Mantz	Slosson
Banta	Dutcher	Mead	Snook
Bergman	Ethell	Nelson	Stoddard
Bowman	Gilchrist	Newberry	Thurston
Brookhart	Goodwin	Perkins	Tuck
Brookins	Hale	Price	White
Browne	Hartman	Ree	Wichman
Buser	Holdoegel	Romkey	
Caldwell	Horchem	Scott	
Campbell	Johnston	Schaff	

Nays, none.

Absent or not voting, 5—Fulton, Haskell, Olson, Rees, Smith.

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

The president appointed as members of such committee on the part of the senate Senators Holdoegel, Mantz, Cessna, Ethell, Reed, Scott, Tuck and Johnston.

RESOLUTION FOR INAUGURAL COMMITTEE

Senator Adams offered the following 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 lieutenant governor.

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

Ayes—45.

Abben	Cessna	Horchem	Scott
Adams	Chase	Johnston	Schaff
Baird	Dutcher	Kimberly	Shane
Banta	Ethell	McIntosh	Shinn
Bowman	Fulton	Mantz	Slosson
Brookhart	Gilchrist	Mead	Smith
Brookins	Goodwin	Nelson	Snook
Browne	Hale	Newberry	Stoddard
Buser	Hartman	Perkins	Thurston
Caldwell	Haskell	Reed	Tuck
Campbell	Holdoegel	Romkey	White
			Wichman

Nays—0.

Absent or not voting, 5—Bergman, Darting, Olson, Price, Rees.

The resolution having received a constitutional majority was declared to have been adopted by the senate.

The President appointed as members of such committee on the part of the senate Senators Adams, Hartman, Shane, Goodwin, Price and Wichman.

Senator Stoddard moved that the secretary be instructed to send a few words of greeting in behalf of the senate to Senator Wichman's father, who is one hundred years old today. Unanimously carried.

PETITIONS AND MEMORIALS

The following petitions were presented:

By Senator Ethell, from Centerville Camp No. 3553 of the Modern Woodmen of America, relative to legislation affecting fraternal societies.

By Senator Buser, from the Muscatine City Teachers' association, endorsing the retirement system for teachers.

PRINTING BOARD REPORT

Hon. John Hammill, Lieutenant Governor, and President of the Senate

SIR: I have the honor to transmit herewith the report required of the State Printing Board under Section 80 of Chapter 286 of the Acts of the Thirty-ninth General Assembly.

Very respectfully,

STATE PRINTING BOARD,
By Robert Henderson,
Secretary.

To the Fortieth General Assembly:

Section 80 of Chapter 286 of the Acts of the Thirty-ninth General Assembly reads as follows:

"Printing board to report. Prior to the convening of any extra session of the Thirty-ninth General Assembly the printing board shall determine and report to the general assembly immediately upon their convening the fair maximum number of allowable pages which each of the several reports should contain and also the fair maximum number of copies of each report which should be published."

The reports understood to be held in contemplation by the foregoing section are enumerated in Sections 63, 64 and 75 of the chapter above cited. Following the form there used, the following is submitted:

BIENNIAL REPORTS

	Maximum number of allowable pages	Maximum number of copies to be published
Governor, on pardons and commutations of sentences...	32	500
Secretary of state (1)		
Auditor of state.....	72	1,500
Treasurer of state.....	320	800
Attorney general.....	400	1,000
Superintendent of public instruction.....	380	2,500
Adjutant general	300	1,000
Adjutant general, on public buildings and property.....	32	500

Librarian of the state library.....	16	500
Industrial commissioner	160	5,000
Labor commissioner	320	2,500
Printing board	48	2,000
Fish and game warden.....	48	5,000
Board of examiners of shorthand reporters (2)		
Live stock sanitary board (3)		
Mine inspectors	80	1,500
Board of control.....	144	2,000
Board of education.....	280	1,500
Board of health.....	144	1,500
Board of parole.....	32	3,500
Board of engineering examiners.....	32	500
Board of accountancy.....	32	500
Board of conservation.....	64	1,000
Board of vocational training.....	32	1,000
Entomologist (4)		
Steamboat inspectors	16	500
Curator of the historical department.....	32	1,500
Board of curators of the state historical society.....	32	500

ANNUAL REPORTS

Board of railroad commissioners.....	400	1,000
Executive council, on railway assessments.....	64	1,000
Auditor of state, on municipal finances.....	320	2,500
Commissioner of insurance—Fire.....	400	2,500
Life.....	300	2,000
Superintendent of banking.....	80	1,000
Food and drug commissioner (5)		
Fire marshal	82	3,500
Highway commission	320	1,500
Library commission (6).....	48	1,000
Aptarlist	96	1,000
Weather and crop service.....	88	1,500

MISCELLANEOUS DOCUMENTS

Year book of agriculture, annually.....	800	3,000
Horticultural report, annually.....	400	3,000
Official register, biennial.....	640	40,000
Proceedings of state teachers' association, annually.....	128	4,000
Proceedings of pioneer lawmakers' association, biennially	300	1,000
Biennial state expense report, biennially.....	600	5,000
Proceedings of Iowa academy of science, annually.....	400	1,000
Report on assessment of telegraph and telephone property, annually	160	1,000
State census of Iowa, when taken and compiled.....	800	15,000
Report of geological survey, annually.....	600	3,000

The number of copies indicated for the various publications does not include the document edition.

(1) There is no provision in the statutes for a report by the secretary of state.

(2) There is no provision in the statutes for a report by this board.

(3) No such board is known to us.

(4) The statutes contain no provision for a report by the state entomologist. The present incumbent of this office has suggested that he should be allowed 250 pages in an edition of 2,000 to 3,000 copies.

(5) No such department is known to us.

(6) Although this report was listed by the Thirty-ninth General Assembly for annual publication, it always has been a biennial publication and is still in that basis. The library commission and this board are

both under the impression that this report was listed as an annual publication through inadvertence.

Respectfully submitted,

STATE PRINTING BOARD,
By Robert Henderson,
Secretary.

On motion of Senator McIntosh the Senate adjourned until ten o'clock Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 9, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. Matthew C. Dickson, Dexter, Ia., former chaplain of the world war.

Senator Campbell moved that Rule 33 be suspended for the day. Carried.

PETITIONS AND MEMORIALS

The following petitions were presented:

By Senator Snook, from the teachers of the Keokuk public schools, endorsing the teachers' annuity bill.

By Senator Holdoegel, from the teachers of Fort Dodge, endorsing the teachers' annuity system.

By Senator Stoddard, from the League of Women Voters of Sioux City and Woodbury county, urging acceptance of the Shepard-Towner grant.

CONCURRENT RESOLUTION

Senator Brookins offered the following concurrent resolution:

Be It Resolved by the Senate, the House concurring, That a joint convention of the two houses of the Fortieth General Assembly be held on January 11, 1923, at 11:00 A. M.

Be It Further Resolved, That United States Senator Smith W. Brookhart be invited to speak 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.

By unanimous consent the resolution was taken up and considered.

On the question, "Shall the resolution be adopted?" the vote was:
Ayes, 46.

Abben	Brookhart	Darting	Horchem
Adams	Brookins	Dutcher	Johnston
Baird	Browne	Ethell	Kimberly
Banta	Buser	Fulton	Hale
Cessna	Campbell	Gilchrist	Hartman
Bergman	Bowman	Goodwin	Holdoegel

McIntosh	Perkins	Schaff	Thurston
Mantz	Price	Shane	Tuck
Mead	Reed	Shinn	White
Nelson	Rees	Slosson	Wichman
Newberry	Romkey	Snook	
Olson	Scott	Stoddard	

Nays, none.

Absent or not voting, 4.

Caldwell Chase Haskell Smith

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

SENATE RECESS RESOLUTION

Senator Stoddard introduced the following resolution and asked unanimous consent that the rule be suspended and the resolution be considered at this time: '

Resolved by the Senate, the House concurring. That when adjournment is had on Thursday afternoon, January 11th, it be to reconvene on Tuesday afternoon, January 16th at 1:30 p. m.

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

Ayes, 34.

Abben	Caldwell	Horchem	Price
Adams	Cessna	Johnston	Romkey
Baird	Darting	Kimberly	Scott
Banta	Dutcher	McIntosh	Schaff
Bergman	Ethell	Mantz	Shane
Bowman	Gilchrist	Mead	Slosson
Brookins	Goodwin	Nelson	Stoddard
Browne	Hale	Olson	
Buser	Hartman	Perkins	

Nays, 13.

Brookhart	Holdoegel	Rees	Thurston
Campbell	Newberry	Shinn	Tuck
Fulton	Reed	Snook	White
			Wichman

Absent or not voting, 3.

Chase Haskell Smith

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

Senator Holdoegel moved that Senator Chase be indefinitely excused. - Carried.

Senator Dutcher presented Senator Scott with a bouquet of roses on behalf of the Senate and made a speech of congratulation on his recent marriage. Senator Scott responded with a few appropriate remarks.

MESSENGERS

The President appointed the following as messengers for the Senate:

Telephone messenger, Thelma Campbell, Des Moines; messenger to the President of the Senate, Elliott Woodruff, Knoxville; floor page, Everett Williams, Des Moines; floor page, Arthur Wadsworth, Grinnell; floor page, Jack Drew, Newton; floor page, Edward K. Stone, Des Moines; floor page, Willis McCarthy, Des Moines.

REPORT OF COMMITTEE ON COMMITTEE CLERKS

Senator Horchem offered the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to determine the standing and qualifications of the candidates for the positions of committee clerks, beg leave to report that they have made investigations and examinations and find the following competent for the positions for which they have applied and been recommended; and have been respectfully assigned as follows:

Jessie Bandy—Lt. Gov. Hammill.

Zuba Snyder—Senator Price.

B. R. Crotinger—Senator Caldwell.

Mary Allen—Senator Snook.

Florence E. Ramsey—Senator Bergman.

Edith Shinn—Senator Shaff.

Mrs. Leon Smith—Senator Fulton.

G. L. Steinhilber—Senator Newberry.

Mrs. Nell Swanson—Senator Adams.

Amy A. Byram—Senator Goodwin.

Edith W. McElroy—Senator Reed.

Laura Schulze—Senator Dutcher.

May Myers—Senator Banta.

Neva Barnes—Senator Slosson.

Agnes Brennan—Senator Johnston.

Margaret McDevitt—Senator Horchem.

Mae Schlater—Senator Hale.

Frances Nelson—Senator Kimberly.

Myrtle Jane Edge—Senator Gilchrist.

Ella Haddenhorst—Senator Baird.

Maude M. Brown—Senator Perkins.

Hazel Brewer—Senator White.

Mrs. Hannah Millard—Senator Rees.

Daisy Williams—Senator Tuck.

Bertha Brown—Senator Haskell.

Blanche Stanford—Senator Brookins.

Dorothy L. Hess—Senator Hartman.

Kay B. Keefe—Senator Bowman.

Lillian Goldenson—Senator McIntosh.

Kathryn B. Ries—Senator Abben.
 Madge Stanton—Senator Ethell.
 Bertha Ocheltree—Senator Wichman.
 Kathryn Andrews—Senator Holdoegel.
 Lou Vogle—Senator Scott.
 Mrs. L. Vinyard—Senator Stoddard.
 Mrs. Cecile Boyd—Senator Buser.
 Charles B. Nelson—Senator Nelson.
 Ann Trainer—Senator Shane.
 Blanche Osburne—Senator Darting.
 Mrs. Hazel Marshal—Senator Mantz.
 Ida Enbing—Senator Romkey.
 Mrs. Catherine Hibbs—Senator Campbell.
 Elizabeth Maclean—Senator Thurston.
 Lucile Forgey—Senator Brookhart.
 Francis Schmitt—Senator Cessna.
 Louise Koenigsberger—Senator Mead.
 Alice Yost—Senator Olson.
 Marie Drew—Senator Smith.
 Minnie Wilder—Shinn.
 Ida Adele Weiser—Senator Browne.

The following have the necessary qualifications and are ready to receive appointment:

Owen Cunningham	Marie Martin
Hazel Davidson	Ethel Olson
Millicent Davis	Edna G. Sharpe
Ethel Dixon	Geraldine Sprinkle
Ruth De Long	Catherine Swift
Mildred Hatfield	M. Furbush
Christine Huffy	May E. Zepter
Julia Kane	

B. J. HORCHEM, *Chairman.*

The report was adopted.

The clerks assigned were duly sworn.

Senator White asked unanimous consent to have the report of the committee on retrenchment and reform printed in the Journal. Consent granted.

CORRECTION OF JOURNAL

The Journal of January 8th was corrected and approved.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate concurrent resolution providing for the appointment of a special joint committee on code revision.

Also that the House has passed the following concurrent resolution in which the concurrence of the House was asked:

Senate concurrent resolution relative to supplying the General Assembly with codes, code supplements, compiled code and session laws.

A. C. GUSTAFSON,
Chief Clerk.

GENERAL REPORT OF THE JOINT COMMITTEE ON RETRENCHMENT AND REFORM OF THE THIRTY-NINTH GENERAL ASSEMBLY TO THE FORTIETH GENERAL ASSEMBLY OF THE STATE OF IOWA

To the Members of the Fortieth General Assembly of the State of Iowa:

The standing joint committee on retrenchment and reform of the Thirty-ninth General Assembly, as a summary of its work, begs to report:

The law governing the formation, jurisdiction, etc., of said committee is found in Chapter 218, Acts of the Thirty-ninth General Assembly, supplemented by the provisions of Section 40 of Chapter 340 of the Acts of the Thirty-ninth General Assembly, and in Sections 182 and 183 of the Code.

Following the adjournment of the session the committee met, not at any regular time, but only when best interests of the state required it, and the need for action was urgent. During 1921 there were five meetings held, to wit: May 3, July 12, June 8, August 30 and October 6; during 1922 there were eight meetings held, to wit: January 5, March 8, May 10, August 2 and 29, November 8 and 22, and December 6.

The orders of the committee, of course, apply not only in those instances where affirmatively made. No order was made upon negative action of the committee, declining requests, instances of which were numerous. From the present summary of its work, the idea should not be gathered that the committee adopted a liberal policy and granted every request made upon it, as the committee made it its policy to pursue a very conservative attitude and authorized expense only in those instances where conditions had changed and the needs of the state made it necessary as a matter of efficiency and good business judgment such as the members would follow if their personal interests were involved. When it seemed that a question of legislative policy was involved the committee felt bound and declined to act.

Minutes of every meeting were preserved, and every order of the committee is in writing, on file with the secretary of state, and subject to public examination as by said Chapter 218, Acts of the Thirty-ninth General Assembly, required.

The attorney general, in written opinion of date of March 16, 1922, held that the committee has no authority to change the salary of any officer, or to change in any manner the number of days for which compensation may by statute be allowed any such officer. Hence it follows that jurisdiction of the committee is limited to matters affecting employees of the state, and to such recommendations in the way of retrenchment as it may think wise to submit to the legislature. The legislature has not seen proper to grant the committee general legislative authority, nor would it be wise that this should be done, even if it could be done constitutionally.

SUMMARY OF ORDERS BY THE COMMITTEE

A summary of the minutes of the meetings, and orders of the committee follows:

This report is designed to give merely a concise and condensed historical record of the action taken and orders made by the committee. The important matter of code revision is made the subject of a special report and recommendations for certain changes in administrative features of the law are submitted herewith.

The committee first met on the 19th day of January, 1921, completed its organization and selected its officers. Thereafter it took up the question of extra help for the legislative session, assigned to it by a joint resolution of the Thirty-ninth General Assembly, and recommended to the Assembly (which later approved the same) the employment of extra help during the session, as follows:

1. Eight janitors at a salary of \$100 per month.
2. One messenger of custodian and mail carrier at \$3 per day.
3. One assistant to the State House Postmaster at \$75 per month.
4. One assistant matron at \$3 per day.
5. One extra foreman at \$115 per month.
6. One extra elevator tender at \$80 per month, commencing February 7th.
7. One research assistant in the Law Library at \$4 per day.
8. One stenographer in the Law Library at \$4 per day.
9. An assistant to the document editor to prepare legislative index at \$4.50 per day, then two weeks after the close of the session as long as needed and not more.

The committee also recommended the renting of a typewriter for the law library.

EMPLOYEES OF THE STATE RECEIVING EXTRA PAY FOR SERVICES RENDERED THE STATE IN OTHER DEPARTMENTS DISAPPROVED

The committee had referred to it by the railroad commissioners the question as to whether one of its employees, could with propriety accept compensation from Ames college for lectures given at the college in addition to the compensation paid such employee by the state as an employee in the services of the railway commissioners. The committee felt that it was a dangerous precedent to establish and that it was wrong in principle for one regularly in the employ of the state and being paid for full time employment, to render service during such time in another

department and accept pay therefor in addition to his regular salary. The acceptance of such additional compensation was therefore disapproved.

PREPARATION OF SALARY BILL

The committee held several meetings in outlining the salary bill of the Thirty-ninth General Assembly and conducted a number of hearings in which investigation was made as to the condition in the various departments and especially as to what help was required and salary necessary to secure competent help of the kinds required. The committee devoted a large part of the recess to such hearings and based on the information thus acquired it prepared and submitted to the Assembly an outline of a salary bill.

ORDERS MADE BY THE COMMITTEE

The following is a brief summary of the orders made by the committee and the reasons therefor, showing (1) the number and date of order, (2) the purpose of the order or the thing which the order was designed to accomplish, and (3) the reasons for making the order and explanatory remarks.

Number of Order and Date	Purpose of Order	Reasons for Order and Explanatory Remarks
No. 1 Feb. 24, '21	Authorize custodian to use balance of fund appropriated by Chap. 272, Acts of 38 G. A., to complete repairs to capitol building.	Made on application of custodian and on showing made by him that amount appropriated for some items of repair were more than sufficient while the amount appropriated for other items was insufficient, and the order was made to enable the custodian to sue the balance left over on some items to complete the other items.
No. 2 Feb. 24, '21	Appropriated \$200 under provisions of Chap. 272 of Acts of 38 G. A. for clerical work for pharmacy commission until July 1, 1921.	Order made on application of pharmacy commission and on showing made by them that their funds were exhausted and that such allowance was necessary if the work of the commission was to continue.
No. 3 April 8, '21	Authorized document editor to employ two clerks for five weeks following the close of the session at \$3.50 per day, payable out of the committee's contingent fund.	Order made upon request of document editor and upon a showing that it was necessary to take care of the extra work placed upon the document editor because of the legislative session of the 39 G. A.

Number of Order and Date	Purpose of Order	Reasons for Order and Explanatory Remarks
No. 4 May 3, '21	Authorized additional clerical help from April 1 in the office of the governor, not to exceed two clerks for three months and one clerk for one month at compensation not to exceed \$100 per month, and made payable out of the governor's contingent and expense fund.	Made upon request of the governor and on a showing that the additional clerical work in the governor's office incident to the renewal of all notary public commissions, required such additional help.
No. 5 May 3, '21	In lieu of provisions of Chap. 272, Acts of the 38 G. A. and Chap. 363, Acts of the 39 G. A., the employees of Weather and Crop Service Bureau were fixed as follows: Director (in addition to salary paid by Federal government) \$1800, statistician \$1400 and \$1800, clerk and stenographer \$1200, clerk \$960 to \$1200, miscellaneous clerk hire \$800, miscellaneous expense, balance of appropriation.	Order made to carry into effect the evident intent of the legislature in appropriating \$7,500 for this department, and to make such appropriation available in the employment of extra help. Granted upon urgent request of State Department of Agriculture and Director of Weather and Crop Bureau and Farm Bureau Federation and upon showing that it was necessary to enable the bureau to function properly.
No. 6 May 3, '21	Authorized an additional clerk in the office of secretary of the state at a compensation of \$150 per month.	Order made on application of secretary of state and on showing that the blue sky law imposed such additional duties on that office that such additional help was necessary.
No. 7 May 3, '21	Authorized state veterinarian to employ a deputy state veterinarian in lieu of the rendering plant inspector, provided for in Chap. 363, Acts of 39 G. A. and at same salary of \$1,800 per year and authorizing said state veterinarian to employ the deputy state veterinarians resident in the several counties to inspect rendering plants.	Order made on request of state veterinarian, and upon a showing that the state veterinarian must be out of his office duties imposed by the Act of a good deal on account of new the 39 G. A. with reference to bovine inspection and that the good of the service required that some responsible party be in the office at all times, and upon further showing that it would mean no additional expense to the state.
No. 8 June 8, '21	\$500 appropriated out of the funds of the committee, to the state entomologist to enable him to procure new Ford car for use of the department in exchange for the old one.	Order made on request of state entomologist and on showing that he required a car in his work and that his old one was no longer serviceable and that the executive council had approved the purchase.

Number of Order and Date	Purpose of Order	Reasons for Order and Explanatory Remarks
No. 9 June 8, '21	Reduced salary of purchasing agent for executive council from \$1,680 to \$1,500 per year and increase supply room clerk from \$1,500 to \$1,680.	In the office of the oil inspector, chief clerk's salary reduced from \$1,800 to \$1,500 per year and a stenographer at \$960 per annum authorized.
No. 10 June 8, '21	The order did not affect the total salaries of the department but merely adjusted the salaries so as to accomplish a more equitable distribution of the amount paid in salaries.	Granted on request of oil inspector, and upon showing that the chief clerk could not alone properly perform all the stenographic work in the office.
No. 11 June 8, '21	\$419 appropriated out of the funds of the committee to cover deficit in the funds of the library commission and traveling library.	Granted on request of library commission and on showing that the activities of the traveling library could not be continued without this help.
No. 12 June 8, '21	Authorizes the commission on animal health to employ three additional inspectors of bovine tuberculosis.	Granted on request of commission on animal health and state veterinarian and upon showing that such authority was necessary in view of the Act of the 39 G. A., Chap. 302, in providing for such inspection and in order to equal the number of inspectors the federal government has engaged in Iowa, and to continue such federal inspectors and to properly carry on the work of eradicating bovine tuberculosis.
No. 13 July 12, 13 '21	Authorizes the state board of health to continue to employ one stenographer-bookkeeper at a salary from \$960 to \$1,520 per annum.	Order made on showing that in addition to regular work of hotel inspector, the duty of inspecting restaurants some six thousand in number has been added by the 39 G. A.
No. 14 July 12, 13, '21	Authorizes employment of third parole agent by board of parole at \$2,000 per year and expenses from July 4, 1921, to January 1, 1922.	Requested by parole board and granted upon showing that such additional agent was necessary to a proper working of the parole system, in view of nearly 100% increase in prison population.
No. 15 July 12, 13 '21	Authorized the employment of code commissioners and necessary stenographic help for not to exceed forty days after the expiration of the sixty days, heretofore authorized for the completion of the work.	Requested by the code commissioners and made upon a showing by them that the work was more extensive than originally expected and that it could not be sooner completed.

Number of Order and Date	Purpose of Order	Reasons for Order and Explanatory Remarks
No. 16 July 12, 13 '21	Amends Order No. 4 and authorizes the governor to continue his extra clerical help provided for in said order as long as he thinks necessary.	Entered for the reason that it appeared the work of renewing notarial commissions might not be completed within the time fixed in the Original Order No. 4.
No. 17 July 12, 13 '21	In the insurance commissioner's office, one file clerk raised from \$1,080 to \$1,140 per annum and one assistant clerk, \$1,400 to \$1,600 per annum and the latter's duties enlarged so as to make him assistant to the securities clerk.	Made on application of insurance commissioner and upon showing that such increases were just and reasonable and it appearing to the committee that these clerks had to be tested people and thoroughly responsible in as much as they have access to securities aggregating \$143,000,000 in value.
No. 18 July 12, 13 '21	Authorizes commission on animal health to employ two additional bovine tuberculosis inspectors at a salary not to exceed \$1,800 per year and expenses.	Made upon application of the animal health commission, and upon showing that it was necessary in order to retain the number of federal inspectors now in the field, and to properly carry out the act for the eradication of tuberculosis.
No. 19 July 12, 13 '21	From the office of the board of audit and the executive council, one voucher clerk and two clerks were transferred to the office of the auditor of state.	These clerks were transferred to the auditor's office for the reason that the Act of the 39 G. A., Chap 226, makes the auditor of state ex-officio secretary of the board of audit.
No. 20 July 12, 13 '21	Reduces assistant in state law library from \$1,800 to \$1,650 per annum and increased reference librarian from \$1,500 to \$1,650.	Order made to equalize pay of employees doing similar work.
No. 21 July 12, 13 '21	Amends Order No. 11, so as to make the sum of \$419 mentioned therein payable out of the fund of the retrenchment and reform committee.	Order No. 11 directed the auditor to transfer \$419 from the committee's contingent fund to the credit of the library commission. Upon advice of the auditor that it could not be accomplished in that way this amendment was made.
No. 22 Aug. 30, '21	In lieu of two shipping clerks at \$240 each as provided by Chap. 340, Acts of the 39 G. A., for the library commission, two shipping clerks at \$40 per month, each were authorized for July and August.	Order made at request of library commission and upon showing that such an order would improve the service of the commission.

Number of Order and Date	Purpose of Order	Reasons for Order and Explanatory Remarks
No. 23 Aug. 30, '21	Salary of librarian for traveling library and reference librarian increased from \$1,500 to \$1,800 per year.	Made on application of library commission and upon showing that librarians doing similar work elsewhere in all the cities of the state were receiving much larger salaries and that such librarians could obtain a higher salary elsewhere, and their services could not otherwise be retained.
No. 24 Aug. 30, '21	Subject to approval of executive council, salary of organizer and cataloguer of the traveling library increased not to exceed \$120 per year over the amounts fixed by Chap. 340, Acts of 39 G. A., from September 1, 1921.	Granted on application of executive secretary of library commission and on showing that the library commission was not able to retain the services of competent parties at the salaries fixed by the act.
No. 25 Aug. 30, '21	From September 1, 1921, to July 1, 1922, the commissioner of labor was authorized to employ at the employment office at Sioux City, one superintendent at a salary not to exceed \$150 per month payable out of the funds of the committee.	Made on application of commissioner of labor and on a showing that the federal government paid the other expenses of the office and that such employee could be of great service in placing the great number of laborers, who make Sioux City the point of entry to the grain belt.
No. 26 Oct. 6, 1921	Authorized superintendent of banking to employ temporary examiners in emergency cases where it was necessary to take charge of a bank, at \$150 per month.	Granted on application of superintendent of banking and on showing that because of the financial stringency, the demand for examiners and the necessity for examinations were unusual and that the expense of these extra examiners would be borne ultimately by the institutions involved.
No. 27 Oct. 6, 1921	Authorizes the attorney general to employ in the bureau of criminal investigation, subject to the approval of the executive council, one stenographer at \$960 to \$1,200 per annum.	The creation of the bureau of criminal investigation by the 39 G. A. imposed additional work on the attorney general's office, and on a showing of the additional clerical work required, this additional clerk was allowed.

Number of Order and Date	Purpose of Order	Reasons for Order and Explanatory Remarks
No. 28 Oct. 6, 1921	The board of parole was authorized to employ additional stenographic assistance from September 8, 1921, to January 1, 1922, but not to exceed sixty days at \$100 per month payable out of the funds of the committee.	Order made on application of board of parole and on showing that the rapid increase in the prison population required additional help to compile and prepare for the board the necessary records of the prisoners.
No. 29 Jan. 5, 1922	Authorizes one clerk in office of fish and game warden from Nov. 19 to Dec. 1, 1921, at \$2.67 per diem.	Order made on application of game warden and on a showing it was necessary to take care of an emergency, resulting from sickness in the office.
No. 30 Jan. 5, 1922	Authorizes the continuation of the extra stenographer allowed in Order No. 28, until January 1, 1922, at \$100 per month.	Made upon application of the board of parole and on a showing of conditions in the office making it necessary in view of the increase in the prison population.
No. 31 Jan. 5, 1922	Deals with code revision and covered by the special report on that subject.	See separate report on code revision.
No. 32 Jan. 5, 1922	Approves and orders paid bill of J. C. Mabry, for work on code commissioners' bills, in the sum of \$350, for services, and \$51.25 for expenses.	This bill came to this committee because the period covered by the bill included four days in excess of the limit of time fixed by the resolution for the performance of work on the code revision bills, and was allowed because the time was actually spent and was necessary to complete the work.
No. 33 Jan. 5, 1922	Authorizes the payment of the expenses of the commissioners on uniform state laws for meeting of 1921.	Order made on application of the commissioners, who were appointed pursuant to the statute, Chap. 201, 39 G. A., and who actually incurred the expense in the discharge of this duty.
No. 34 Jan. 5, 1922	Increases the compensation of Mr. Hoeye, a parole agent, \$40 per month.	Made on application of Mr. Hoeye and with the approval of the board of control and on a showing that the other parole agents lived at the institutions whereas Mr. Hoeye moved to Des Moines and takes care of the work in that locality, and the state does not contribute to the expense of his maintenance.

Number of Order and Date	Purpose of Order	Reasons for Order and Explanatory Remarks
No. 35 Jan. 5, 1922	Approved the employment in the office of dairy and food commissioner of an extra clerk at \$90 per month from July 1, 1921 to date, this order is certified to the department but not longer.	This extra clerk had been employed by the commissioner under authority of a provision enabling him to employ out of his contingent fund emergency help, and apparently under a misapprehension of his authority. Inasmuch as the service was rendered the committee authorized payment to be made for the service rendered but refused to continue it.
No. 36 Mar. 8, 1922	Modifies and supersedes Order No. 26, and authorizes superintendent of banking to employ after March 1, 1922, two additional examiners at \$1,320 per annum and expenses, one clerk-stenographer at \$1,320, and one examiner of small loan companies at \$140 per month.	Order made to clarify Order No. 26, and take care of the increased necessity for bank examinations caused by the financial stringency and to take care of the additional work required in the examination of small loan companies, imposed by 39 G. A., Chap. 35.
No. 37 Mar. 8, 1922	Authorizes code editor to employ from March 15, 1922, until May 15, 1922, an expert law proof reader and general assistant, \$125 per month, one copy holder and clerk at \$100 per month, one law stenographer at \$125 and one stenographer and clerk at \$100 per month to complete code revision work. All under Chap. 333, 39 G. A.	This order deals with code revision, and provides help necessary to complete the work and get it in shape for the Fortieth General Assembly.
No. 38 Mar. 8, 1922	Authorizes code editor to employ after March 15, 1922, one proof reader at \$125 per month and one clerk at \$100 per month.	This order was made on application of the code editor and was made necessary because of the state taking over the printing of the reports of the supreme court.
No. 39 Mar. 8, 1922	Authorized food and dairy commissioner to employ one additional clerk from March 1 to May 1, 1922, at \$90 per month.	Order made on application of food and dairy commissioner and on showing that during that period, gasoline pump licenses and egg licenses are renewed and there is an unusual accumulation of work.
No. 40 May 10, '22	Authorizes continuation after May 15, and as long as the work may require, the extra help in the code editor's office allowed by Order No. 31.	Order made because it appeared the work could not possibly be completed by May 15, 1922.

Number of Order and Date	Purpose of Order	Reasons for Order and Explanatory Remarks
No. 41 May 10, '22	Authorized one additional stenographer in office of parole board after May 15, 1922, at \$100 per month.	This was a continuation of employment previously authorized by this committee, (see No. 28) and was made necessary by the fact that the parole board was still behind with their clerical work on account of increased prison population.
No. 42 May 10, '22	Authorized curator to employ one inventory clerk at \$100 per month for not exceeding two months.	Made on application of curator, and because an act of the 39 G. A. made necessary an inventory of all property of the historical department.
No. 43 May 10, '22	Allows the expenses of the secretary of the state board of pharmacy in making investigations, not exceeding \$50 to June 30, 1922, and not exceeding \$150 for ensuing year.	Granted on application of the secretary of the state board of pharmacy and because the acts of the 39 G. A. limited to ninety days, the time which the commissioner could put in and it appeared that the secretary could do some of their work if his expenses were paid.
No. 44 Aug. 2, 1922	Authorizes superintendent of banking to employ for balance of year, six additional examiners at \$1,800 per annum and expenses.	Order made upon showing of need for careful examination of all banks during this particular period, and because the banking department was required to take charge of several banks.
No. 45 Aug. 2, 1922	Permits the fuel administrator with the approval of the executive council to draw on the funds of the committee for an amount not to exceed \$5,000 for salaries and expenses.	This order was made on the solicitation of the governor, in order to provide funds to enable the fuel administration to function during the threatened coal shortage, resulting from the strike. (Superseded by Order No. 58, of Nov. 22, 1922.)
No. 46 Aug. 2, 1922	Continued until July 1, 1923, the authority granted by Order No. 25 to employ a superintendent of labor at Sioux City.	Order made on application of commissioner of labor and on showing that Sioux City, the gateway for the northwest for drifting labor, and that great success had attended the efforts of the superintendent in placing laborers, and because the federal government was maintaining the office.

Number of Order and Date	Purpose of Order	Reasons for Order and Explanatory Remarks
No. 47 Aug. 29, '22	Appropriates \$2,000 of committee funds to pay compensation and expenses of inspectors and assistants in employ of state entomologist.	Made on application of state entomologist and on showing that under opinion of attorney general of Aug. 21, 1922, they were not allowed to use inspection fees as formerly, and that there was no fund to pay inspectors, and that inspection was necessary to protect nursery and agricultural industry from pests.
No. 48 Aug. 29, '22	Authorizes payment of \$5.33 to employee in state veterinarian's office.	Made on application of state veterinarian and on showing that such extra service was due to sickness and overlapping resulting from the addition of a new employee.
No. 49 Aug. 29, '22	Authorizes an additional stenographer in office of state veterinarian from date to end of fiscal year at \$960 to \$1,200 per annum.	Made on application of state veterinarian and on showing that the extra work resulting from the act for eradication of bovine tuberculosis, and the licensing of farmers to vaccinate hogs required such extra help.
No. 50 Aug. 29, '22	Authorizes attorney general to substitute one file clerk at \$1,500 in lieu of one of the stenographers provided for his office.	Granted on application of attorney general and on showing that a file clerk was needed, and that a salary of \$1,500 per annum was necessary to enable him to secure a competent person.
No. 51 Nov. 8, 1922	Recommends that \$40,000 be assigned to the retrenchment and reform committee of the Fortieth G. A., as a contingent fund for the biennium commencing July 1, 1923.	Order made on initiative of the committee on receipt of a request from the governor for recommendation and for the reason the committee felt that that amount should be available to cover contingencies.
No. 52 Nov. 8, 1922	Authorizes payment out of the fund of the committee the expenses of the commissioners on uniform laws for meeting of 1922.	This order is made for reason applying to Order No. 33.
No. 53 Nov. 8, 1922	Adopts the report of the sub-committee as the report of the committee on code revision.	The report on code revision gives the reasons for the actions taken by the committee on that subject.

Number of Order and Date	Purpose of Order	Reasons for Order and Explanatory Remarks
No. 54-A Nov. 8, 1922	Authorizes commission on animal health to employ four additional bovine tuberculosis inspectors at a salary from \$1,800 to \$2,200 per annum, but provides that the number of state inspectors shall not exceed the number provided by the federal government.	Made on solicitation of the governor and on application of commission on animal health and on a showing that the present force was inadequate to take care of the demand for inspection and testing, and that there were over 11,000 herds awaiting first test and over 3,300 awaiting final test and that such inspectors were necessary to properly carry out the provisions of Chap. 302 of the Acts of the 39 G. A.
No. 54-B Nov. 22, '22	Appropriates \$15,400 out of the funds of the committee to enable bonus board to perform its work preliminary to sale of the state bonds, to be returned to the committee's fund when bonds are sold.	Order made on showing that the act providing for a soldiers' bonus, Chap. 332, of the 39 G. A., required expenses to be paid out of the proceeds of the bond sale; and that funds were needed to perform the work preliminary to the issuance of bonds, and that there was no provision in the law for the payment of such expenses, and that such fund would facilitate the work of the board and would be returned to the committee's contingent fund when the bonds were sold.
No. 55 Nov. 22, '22	Authorizes auditor of state to employ assistant accountant from December 1, 1922, to June 30, 1923, at \$2,000 per annum.	Order made on application of auditor of state and on showing that the work of his office during the period covered by the order required such additional help, and because it restored to the office temporarily, help which had formerly been a part of the regular office force but removed in interest of economy.
No. 56 Nov. 22, '22	Authorizes state library commission to employ from December 1, 1922, until April 1, 1923, one general assistant at \$110 per month, and one boy at half time at \$20 per month.	Order made on application of state librarian and chairman of library commission and on showing that such help was necessary to render available to the people of the state the privileges and advantages of the traveling library.

Number of Order and Date	planatory Remarks	Purpose of Order Purpose of Order
No. 57 Nov. 22, '22	Authorizes state law librarian to employ one stenographer at \$100 per month from December 1, 1922, until completion of work of assembling reference material for use of 40 G. A., but not later than April 1, 1923. Reasons for Order and Ex-	Order made on application of state law librarian, and because of the conviction of the committee that the assembling of material for the use of members of the legislature was of great benefit and greatly facilitated the work of acquiring information on legislative problems and the despatch of legislative business.
No. 58 Nov. 22, '22	Rescinds the authority granted in Order No. 45 to the fuel administrator to draw on funds of the committee.	Taken on the initiative of the committee, because of the fact that the danger of a fuel famine had passed.
No. 59 Nov. 22, '22	Authorizes state librarian to employ one assistant in the medical library from December 1, 1922, to April 1, 1923, at \$1,400 per annum.	Made on application of state librarian and on showing that the number of people visiting this library and the demand for the books in the library had more than doubled since January 1, 1922, and that the additional help was necessary to properly perform the work.
No. 60 Nov. 22, '22	Authorizes the printing of five hundred copies of the general report of the committee on retrenchment and reform to be submitted to the members of the 40 G. A. at the convening of its session.	Chap. 218, Acts of the 39 G. A., supplemented by the provisions of Section 40 of Chap. 340 of the Acts of the 39 G. A., and Sections 182 and 183 of the code sets forth the law governing the retrenchment and reform committee and requires the committee to make a biennial report to the legislature.

FINANCIAL SUMMARY.

Section 17 of Chapter 313, Acts of the Thirty-ninth General Assembly, as usual, appropriated \$40,000 as a contingent fund subject to order of the committee to meet such emergencies as might arise during the two years.

A summary, prepared by the auditor of state, of the expenditures authorized from such fund follows:

EXPENDITURES FROM THE GENERAL REVENUE FUND AUTHORIZED BY THE RETRENCHMENT AND REFORM COMMITTEE, THIRTY-NINTH GENERAL ASSEMBLY.

(Under the provisions of Sec. 40, Chapter 340, Laws of the 39th G. A.)
July 1, 1921, to December 1, 1922.

Order Number		
6	<i>Secretary of State</i> —Salaries (340-4-39); additional clerk, Securities Dept.	\$ 3,600.00
10	<i>Oil Inspection</i> —Salaries (340-31-39); additional stenographer authorized at \$1,200 per annum and chief clerk reduced to \$1,500 per annum.....	1,800.00
14	<i>Board of Parole</i> —Salaries (340-34-39); additional parole agent authorized for period 7-4-21 to 12-31-21 at \$2,000 per annum	977.00
17	<i>Insurance Dept.</i> —Salaries (340-23-39); increase to file clerk \$120; increase to assistant clerk \$400.....	520.00
23	<i>Library Commission</i> —Salaries (340-18-39); increase to librarian of the Trav. Library \$550; increase to reference librarian \$550; both to date from Sept. 1, 1921.....	\$ 1,100.00
24	<i>Library Commission</i> —Salaries (340-18-39); increase to organizer \$220; increase to cataloguer \$220; both to date from Sept. 1, 1921.....	440.00
30	<i>Board of Parole</i> —Salaries (340-34-39); additional stenographer 11-15-21 to 1-31-22 at \$100 per mo.....	250.00
34	<i>Board of Control</i> —Salaries (340-8-39); to cover reimbursement for additional expense to F. M. Hoeye, state agent.	720.00
41	<i>Board of Parole</i> —Salaries (340-34-39); additional stenographer 5-15-22 to July 1, 1923, at \$100 per mo.....	1,350.00
42	<i>Historical Dept.</i> —Salaries (340-19-39); inventory clerk 6-1-22 to 7-31-22 at \$100 per mo.....	200.00
43	<i>Pharmacy Comm.</i> —Secretary's trav. exp. (340-28-39); for period ending June 30, 1922, \$50; for period ending June 30, 1923, \$150.....	200.00
48	<i>State Veterinarian</i> —Salaries (340-29-39); extra stenographer June 23 and 24, 1922.....	5.33
49	<i>State Veterinarian</i> —Salaries (340-29-39); additional stenographer August 29, 1922 to June 30, 1923 at \$100....	1,009.67
50	<i>Attorney General</i> —Salaries (340-7-39); file clerk at \$1,500 per annum authorized in place of one stenographer at \$1,200 Sept. 1, 1922, to June 30, 1923.....	250.00
55	<i>Auditor of State</i> —Salaries (340-6-39); assistant county accountant, Dec. 1, 1922, to June 30, 1923, at \$2,000 per annum	2,166.67
56	<i>Library Commission</i> —Salaries (340-18-39); one general assistant librarian Dec. 1, 1922, to March 31, 1923, at \$440; one additional shipping clerk Dec. 1, 1922, to March 31, 1923, at \$20 per mo., \$80.....	520.00
59	<i>State Library</i> —Med. Dept.—Salaries (340-16-39); one assistant Dec. 1, 1922, to March 31, 1923, at \$110 per mo., \$1,400 per annum.....	466.67
	Total	\$ 15,576.08

RETRENCHMENT AND REFORM CONTINGENT.

Chap. 313, Sec. 17, 39 G. A., July 1, 1921, to Nov. 30, 1922, inclusive.

Order Number	Amount Set Aside	Expenditure to 12-1-22	Balance Authorized to be Ex- pended
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25	<i>Bureau of Labor</i> —Supt. of Labor at Sioux City office, 9-1-21—6-30-22 at \$150 per month	\$ 1,500.00	\$ 1,500.00	None
27	<i>Attorney General</i> —Steno. in Bur. of Criminal Investigation, 10-6-21—6-30-23 at \$960-\$1200 per annum....	1,936.65	1,236.65	\$ 700.00
28	<i>Board of Parole</i> —Extra Steno. 9-15—11-15-21, 2 months at \$100.....	200.00	200.00	None
33	<i>Commission on Uniform State Laws</i> —Chas. M. Dutcher, Trav. Exp.....	95.33	95.33	None
	Jesse A. Miller, Trav. Exp.	111.21	111.21	None
	Hazen I. Sawyer, Trav. Exp.	90.52	90.52	None
45	<i>State Fuel Administrator</i> —Payment of help and other expense	5,000.00	1,023.41	None
46	<i>Bureau of Labor</i> —Supt. of Labor at Sioux City office, 7-1-22—6-30-23 at \$150 per month	1,800.00	750.00	1,050.00
47	<i>State Entomologist</i> —Compensation and expenses of inspectors and the Assistant State Entomologist not exceeding inspection fees nor \$2000 in any event	2,000.00	None	2,000.00
52	<i>Commission on Uniform State Laws</i> —Expense Jesse A. Miller.....	Necessary	253.71	Necessary
54 (b)	<i>Bonus Board</i> —Salaries and expense, not exceeding in the aggregate	15,400.00	1,496.74	13,903.26
Totals		\$ 28,133.71	\$ 6,757.57	\$ 17,653.26

RECAPITULATION.

Expenditures made 7-1-21 to 11-30-22....	\$ 6,757.57
Expenditures authorized to be made after 12-1-22	17,653.26
Balance of appropriation (unappropriated)	15,589.17

\$ 40,000.00

From the foregoing summary of finances it will be seen the aid granted as a loan to the soldiers' bonus board for organization purposes comprised the greater part of the expenditures.

SALARY BUDGET.

The committee calls attention of its successor to the provisions of Section 182 of the Code, that "It shall report to the General Assembly a joint resolution fixing the number of employees, and the salary of each, for the several offices, boards, commissions and departments for the ensuing biennial period."

Such recommendations eventually work into the "salary budget" bill (see Chapter 340, Acts of the Thirty-ninth General Assembly). This requires study of each individual department, hearings, etc., and is a subject of such importance and requiring so much time of the committee and legislature it is important that such recommendations be made as early in the session as practicable.

SPECIFIC RECOMMENDATIONS.

Section 182 of the code requires the committee to recommend "such appropriations and legislation as shall promote public interests, and an efficient and economical administration of the affairs of the state".

The usual contingent fund of \$40,000 under direction of the committee on retrenchment and reform for the biennium, commencing July 1, 1923, (Section 17, Chapter 313, Acts of the Thirty-ninth General Assembly) is recommended.

LEGISLATION RECOMMENDED.

BOARD OF PAROLE.

The present law governing the board of parole (Section 5718-a14, Supplement of 1913) calls for at least four sessions of the board per annum with compensation of \$10 per day when in session and all necessary expenses while on official business. It does not require residence at the seat of government. The practice has arisen with the board of holding practically continuous sessions upon its claim that the large increase in prison population requires same. This entails a heavy charge to the state for expenses in Des Moines of members resident elsewhere. We recommend that the members of the board be placed upon a definite salary basis and that residence at the seat of government be required during incumbency.

BUILDING AND LOAN EXAMINATION.

By Section 1902-e&f, Supplement of 1913, it is provided that the auditor of state may, when he chooses, make examination of building and loan associations. This committee is of the opinion that such examination is properly a function of the superintendent of banking, that the latter can, without additional assistants, make examination of the building and loan associations along with the work of examining banks. We recommend that the duty of examining such associations be made obligatory and that such duty be transferred from the office of the auditor of state to that of superintendent of banking.

SECURITIES IN OFFICE OF COMMISSIONER OF INSURANCE.

The state is by law made the depository of securities of insurance companies doing business in the state, for the protection of policyholders. It has been the custom to audit and check such securities only when the commissioner of insurance goes out of office. Such securities amount at this time to something over \$150,000,000. Your committee strongly recommends that the law be so amended as to require that said securities be audited and checked annually.

CLERK OF LAND OFFICE

By Section 88, supplement of 1913, the secretary of state is allowed one clerk to have charge of the land department at a salary of \$1500 per annum. Your committee is of the opinion that this clerkship should be abolished and that the very limited requirements for this clerical work in the land department can be performed by one of the regular clerks in the office of the secretary of state without additional cost.

ITINERANT VENDORS OF MEDICINE

The committee is advised that there is no provision in the present law (Section 2594, Supplement of 1913) governing itinerant vendors of medicine, requiring employers or manufacturers of such medicines to list with

the pharmacy commission names of agents sent out by them for sale of such articles, though the law does require each retail vendor to procure a license. Your committee would direct the attention of the General Assembly to this matter for such amendment of the law as will better facilitate the detection and identification of such vendors and the collection of the statutory license fee.

EXPENDITURES OF STATE BOARD OF EDUCATION

The committee recommends that the financial expenditures of the state board of education be checked in same manner as is now done with the expenditures of the state board of control.

STATE MINE INSPECTORS AND EXAMINERS

Under the mining laws of the state the office of the mine inspector embraces three inspectors and one secretary and the mine examiners are five in number. Your committee recommends to the General Assembly that it consider the possible consolidation of said boards and is of the opinion that the State University and State College of Agriculture and Mechanic Arts, through their engineering departments, may well be asked to cooperate in the work now done by the examiners, and to the end that cost of this service to the state may be reduced.

CONSOLIDATION OF DEPARTMENTS

The committee is of the opinion that the cost of government may be materially reduced and its efficiency enhanced by a consolidation of various departments now operating independently. Among the bills submitted by the code commissioners are three, which especially deal with the subject of consolidation, to wit:

Bill No. 260.—Public Health.

Bill No. 261.—Regulation and inspection of foods, drugs and other articles.

Bill No. 262.—The practice of medicine, surgery, podiatry, osteopathy, chiropractic, nursing, optometry, pharmacy, and embalming.

We recommend the careful consideration by the General Assembly of the subject matter of these bills when dealing with the subject of consolidation.

Notwithstanding the provisions of Chapter 218, Acts of the Thirty-ninth General Assembly, allowing compensation of \$10 per day to each member when attending meetings of the committee, held when the legislature is not in session, the members have served for the past two years without pay, although reimbursed for actual necessary expenses, that no question might be raised under Section 25 of Article 3 of the Constitution of Iowa, providing: "No general assembly shall have the power to increase the compensation of its members".

Respectfully submitted by the joint committee on retrenchment and reform to the Thirty-ninth General Assembly of the state of Iowa.

SENATOR CHESTER W. WHITMORE, *Chairman*,
SENATOR HERBERT I. FOSKETT,
SENATOR ADDISON M. PARKER,
SENATOR HARRY C. WHITE,
SENATOR B. J. HORCHEM,
REPRESENTATIVE JAS. B. WEAVER,
REPRESENTATIVE E. P. HARRISON,
REPRESENTATIVE C. F. CLARK,
REPRESENTATIVE T. J. O'DONNELL,
REPRESENTATIVE L. W. POWERS,

Members.

PRINTING OF JOURNALS

January 9, 1923

HON. JOHN HAMMILL,
President of the Senate,
State House.
Dear Sir:

As shown by the report of the State Printing Board, copies of which are on the desks of the senators, the printing bill of the Thirty-ninth General Assembly reached a total of \$46,392.11. This was a jump from an expenditure of \$19,553.95 for printing for the Thirty-eighth General Assembly, and was more than \$20,000 in excess of that required by any general assembly in recent years.

In an effort to discharge our duty in the direction of keeping down printing expenditures, so far as possible, the Journals of the assembly will be printed more compactly. By eliminating a considerable amount of white space, we hope to cut that \$46,000 down considerably for the Fortieth General Assembly. To be successful in this, we must have the sympathy and cooperation of the members and officers and employes of the assembly. The change will mean that slight inconvenience will be visited on those who use the Journals, but the value of the record will in no wise be encroached upon. It seemed that unless attention were called to the matter in this way, members of the assembly might not understand why the Journal is not printed in exactly the form in which it has been printed in the past.

Very respectfully,

ROBERT HENDERSON,
Superintendent of Printing.

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

AFTERNOON SESSION

Senate met pursuant to adjournment, President Hammill presiding.

CONCURRENT RESOLUTION

Senator Ethell offered the following resolution:

Be It Resolved by the Senate, the House concurring, That final action shall not be taken on any bills providing for appropriations (except emergency appropriations, approved by the Executive Council) until the entire needs of the state, in so far as appropriations are concerned, for the next biennial period, shall have been ascertained, and reported to this body, in so far as possible, by the proper authorities.

The resolution was laid over under the rules.

INTRODUCTION OF BILLS

By Senator Newberry, Joint Resolution No. 1 :

JOINT RESOLUTION

Proposing to amend Article III of the Constitution of the State of Iowa by striking therefrom the word "male" appearing in Section four (4) of said Article III, as a limitation and qualification upon the eligibility of citizens to be members of the House of Representatives in the General Assembly of the State of Iowa.

Read first and second time.

Senator Smith moved that the numbering of bills and the engrossing thereof be deferred until after the report of the committee on code revision. Motion prevailed.

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

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

JOINT CONVENTION

In accordance with law and concurrent resolution duly adopted, the joint session was called to order, Hon. John Hammill, President of the Senate, presiding.

The roll was then called, and the following members responded :

Abben	Brookhart	Donhowe	Gibson
Adams	Brookins	Dooley	Gilbertson
Aiken	Browne	Doollittle	Gilchrist
Anderson	Buffington	Dotts	Gilmore
of Webster	Buser	Dutcher	Goodwin
Anderson	Caldwell	Edge	Graham
of Winnebago	Campbell	Edson	Grimwood
Baird	Carter	Elliott	Fale
Banta	Cessna	Ethell	Hansen
Bergman	Children	Fackler	Harrison
Berry	Clark	Forsling	Hartman
Blake	Colbert	Frahm	Haskell
Blume	Cole	Fulton	Hattendorf
Bowman	Criswell	Gallagher	Hauge
Brady	Darting	Garber of Adair	Healy
Bradley	Dewar	Garber of Floyd	Held
Brittain	Diltz	Gesman	Hempel

Henderson	Mead	Reed	Springer
Himebauch	Moen	Rees	Stock
Holdoegel	Napier	Rewoldt	Stoddard
Hollis	Natvig	Rhinehart	Stokesberry
Horchem	Nelson	Robson	Strippel
Huff	Newberry	Romkey	Thurston
Johnson	Noble	Rust	Tuck
Johnston	O'Donnell	Sampson	Ulstad
Kimberly	Oliver	Saunders	Venard
King	Olson of Boone	Schirmer	Vincent
Knutson	Olson of Clinton	Schulte	Weber
Lake	Orr	Scott of Fremont	White
Leonard	Parsons	Scott of Marshall	Wichman
Letts	Patterson	Shaff	Williams
Lichty	Perkins	Shane	Wilson
Lieberknecht	Peterson	Shinn	Yenter—150
Long	Potts	Slemmons	
Lovrien	Powers	Slosson	
McClune	Price	Smith	
McIntosh	Quirk	of Chickasaw	
Mantz	Ramsey	Smith of Lucas	
Mathews	Rankin	Smith of Madison	
Matthieson	Rassler	Snook	

Those absent were:

Chase	Miller	Scott	Storey
Gilbert	Ontjes	of Appanoose	Wamstad
			Wolfe—8

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

Senator Price moved that a committee of two from the House and one from the Senate be appointed to notify the Governor that the joint convention is in session. Motion prevailed. The President appointed Senator Price of Monroe on the part of the Senate, and Representatives Berry of Monroe and Stock of Allamakee 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 N. E. Kendall, who read his message as per previous invitation.

GOVERNOR'S BIENNIAL MESSAGE

To the Fortieth General Assembly of Iowa:

By Section 12 of Article 4 of the Constitution it is rendered incumbent upon the Chief Executive to communicate to the General Assembly at the opening of each regular session the condition of the State. The duty thus devolved upon the Governor is a particularly agreeable one at the present juncture, for the commonwealth is completely and splendidly solvent, unembarrassed by a single dollar of bonded indebtedness, and

holding a comfortable unencumbered balance in its treasury. The multiplied activities of the State, and what it is currently costing to operate them, are exhibited in detail in the printed reports of the various departments of the government now available for your examination. I make such reports a part of this message by reference, and I commend to you their careful and scrutinous study.

By Section 191 of the Statute the Chief Executive is also required to submit to the Legislature what is denominated a "budget" containing general information with reference to appropriations granted to each department for the past biennial period, its expenditures during such period, and its askings for the ensuing period. This budget is now presented in a sepearte pamphlet accompanying this message; but it must be remembered that the data incorporated therein was collated without any control or supervision by the Executive. A casual inspection will disclose that as a general reservoir of information and enlightenment for the General Assembly it is woefully inadequate. A previous Legislature embarked feebly upon budgetary experiment, but it remains for you to carry to full completion the imperfect program it inaugurated.

A BUDGET SYSTEM

We are all in agreement that there should be introduced into the management of our State government the best business practices that can be devised. A period of depression almost unparalleled in our history is gradually passing, but has not entirely passed, and it is our duty to enforce in the fiscal affairs of the State principles of highest efficiency and stricted economy. Iowa is one of the fairest and richest of the commonwealths of the Union, and while her expenses are lower than those of a majority of the states, they are still burdensomely heavy. I am satisfied that they can be materially reduced. In my opinion one of the most imperative obligations imposed upon us at this session is the establishment of a comprehensive and thoroughgoing budget system which shall include an intelligent and disinterested survey of what is being done with the cost of doing it, and what it is proposed to do with the cost of doing it; all in such concise and simplified terms that the average taxpayer may understand readily and exactly the disbursement of every dollar collected from him as taxes, and the object of its disbursement. The so-called budget contemplated by existing statute is of negligible value, and no General Assembly ever has utilized its meager compilation as an effective aid in the appropriation of public funds. What is needed is a real budget, embodying the salient provisions of those recently adopted by Congress and numerous states, which have resulted in substantial economies in the public expenditure wherever they have been organized. I am fully persuaded that under such a system the taxpayers of Iowa would be afforded a solid measure of the relief to which they are so abundantly entitled. Under its operation a budget board would be created, wholly disconnected from the Legislature or any department, to which each department would report the amount appropriated for its support by the last preceding General Assembly and for what purpose, the amount expended by it and for what purpose, and the amount estimated for the ensuing biennium

and for what purpose; all itemized to the last detail, with full and extended explanations in writing of the necessity for all and singular of the sums asked for the future. The budget board would be thoroughly familiar with the available revenues of the State, as it would have accurate knowledge of the income to be anticipated from all sources. It would know what the State could afford to do without disturbing the then current levy. Thus fortified, it would examine, consider and review all the information, data, estimates and requests of all the departments, and after the most rigid scrutiny thereof it would prepare and submit to the Governor a state budget report setting forth the askings of each, together with its specific recommendations with reference thereto. This report would be transmitted to the General Assembly, thereby furnishing it the reliable information it cannot otherwise acquire to enable it to legislate justly and wisely for the support of the State's activities.

The system I have just advocated should be instituted not alone as respects the State, but also as respects every sub-division of the State invested with jurisdiction over the expenditure of public money. The importance of this recommendation will be emphasized when it is remembered that of every dollar derived from taxes of all descriptions, ninety-one cents are disbursed locally in the various communities for county, township, city, town and school upkeep, while only nine cents are absorbed at the Capitol for State purposes. It should not be forgotten that the State levy is controlled absolutely by two factors, viz., the amount to be gathered as taxes, and the taxable valuation of the property to be levied on. The rate goes up or down with the total of taxes to be realized, and the value of the property impressed with taxes. With great reluctance the Executive Council has found it necessary within the past biennium to increase the State levy, but the reasons which compelled such action are easily discovered. The amount appropriated by the General Assembly for State purposes for the year 1920 was \$7,900,000 to be raised by a levy on a taxable valuation of \$1,103,349,996. By the simplest computation it will be ascertained that a levy of 7.35 mills would produce the sum required. But in 1922 the amount appropriated for State purposes had advanced to \$10,072,000, while the taxable valuation had declined to \$1,083,448,689. An increase in the levy, therefore, to 9.11 mills was inevitable. The budget system, by fixing expenditures according to income, and limiting them thereto, would have the effect better to stabilize the levy from year to year.

Along with the enlightened method I have suggested for the control of the public finances there should be enacted an express prohibition, re-enforced by suitable penalties, against any public agency expending more money or contracting the expenditure thereof, than the amount previously authorized. A real evil of disturbing proportions has arisen from the practice, altogether too often resorted to by spending bodies, of incurring indebtedness which the ordinary income of their municipalities is insufficient to liquidate. I am informed that in one of the superior counties of the State there are at this time outstanding more than a million dollars of such securities, not a single penny of which ever was sanctioned by the electors of the county who must finally discharge them.

Such a gross abuse of the public interest will be corrected by requiring a budget, and forbidding any expenditure beyond it.

DEPARTMENTAL REFORM

I am convinced that we can, without detriment to the State, abolish some of our present instrumentalities of government. There have been allowed to develop in Iowa, boards, bureaus and commissions—in my opinion altogether more numerous than is warranted by good and prudent administration. They have been erected from time to time as the years have elapsed, and as the State has undertaken original and additional activities. Each is independent of the others, and none are subject to any central control. They are not properly related or co-ordinated, nor can they be under existing law, and as might be apprehended the consequence is a duplication of powers, an overlapping of duties, a confusion of authority, with the extravagant waste inevitably incident to such disorder. Under the system, or lack of it, at present in vogue it is possible that your city may be visited by a State Agent:

On Monday to inspect the hotels to ascertain if they are properly equipped with fire escapes. Per diem, mileage and expenses.

On Tuesday to inspect the butcher shops to ascertain if they are complying with sanitary regulations. Per diem, mileage and expenses.

On Wednesday to inspect the oil stations to ascertain if the merchandise vended is of statutory standard. Per diem, mileage and expenses.

On Thursday to inspect the scales to ascertain if they are returning just and honest weight. Per diem, mileage and expenses.

On Friday to inspect the milk depots to ascertain if the lacteal fluid there dispensed is adulterated with dirt. Per diem, mileage and expenses.

On Saturday to inspect the water supply to ascertain if its sources are free from filth pollution. Per diem, mileage and expenses.

Sunday, of course, is devoted to sacred meditation, and the community is immune. It is obvious that none of these inspections involve exceptional talent or extended time. They could all be made by a State Agent of intelligence and energy in one day, with one per diem, one mileage, and one expense account. It is inconceivable that a procedure so utterly unbusiness-like as I have recounted should be further perpetuated.

Two years ago in the inaugural address I directed attention to the evil and recommended a consolidation of these agencies into a limited number of departments, with fixed and definite responsibility, in the belief that better and cheaper service could be attained. I then suggested the following:

1. The reorganization of the Board of Agriculture and the enlargement of its functions to include those now exercised by:

The Iowa State Poultry Association,
The Horticultural Society,
The Weather and Crop Service,
The State Apiarist,

The Commission of Animal Health,
The State Entomologist,
The State Dairy Association,
The Beef Cattle Breeders' Association,
The State Veterinarian,
The Corn and Small Grain Producers' Association.

2. The reorganization of the State Board of Health and the enlargement of its functions to include those now exercised by:

The State Food and Dairy Commission,
The Commission of Pharmacy,
The State Oil Inspector,
The State Board of Dental Examiners,
The State Mine Inspectors,
The State Board of Optometry Examiners,
The State Fire Marshal,
The State Boat Inspectors.

3. The reorganization of the State Library and the enlargement of its functions to include those now exercised by:

The State Historical Department,
The State Library,
The Library Commission,
The Bureau of Public Archives,
The Academy of Sciences,
The State Conservation Commission.

4. The reorganization of the Board of Control and the enlargement of its functions to include those now exercised by:

The Board of Parole.

It was frankly admitted that some of the consolidations indicated might not be the most desirable, and that others more workable might be devised. Further reflection has strengthened the opinion then expressed as to the propriety of such action, and I now reiterate it with redoubled earnestness. The Chiropractic Board and the Osteopathic Board might well be made auxiliaries to the Board of Health. The Conservation Commission and the Fish and Game Department can be united to their mutual advantage. My observation of the parole system during the past two years has left me without doubt that its administration would be largely improved and the expense it entails materially reduced by merger with the Board of Control as I have suggested. In view of the large number of women and girls in the various State institutions as employes, inmates, patients and prisoners, there ought to be a woman on the superintending board. I very strongly recommend that the Board of Control be increased to four members, at least one of whom shall be a woman, and that the duties now discharged and the powers now enjoyed by the Board of Parole be transferred to the Board of Control as so constituted.

On the whole I enjoin a thorough reform of the departmental organization now existing to the end that more improved methods may be introduced into the management of our affairs. Many states have inaugurated the departure I propose, and its complete feasibility has been amply

demonstrated. The problem is one of much complexity, but it should be grappled with fearlessly and without delay. You can render a distinct and permanent service by answering the demand for a systematization of the business of the State, for a reduction of the personnel of those supervising its functions, and for a curtailment of the expense involved in its operation.

AUDIT

With the budget system established and the consolidation of departments effected, there should be invoked to accompany the change the most searching methods of inspection and audit. No fact is more clearly revealed in the history of civil administration than that the best government is attained where every officer, agent and servant of the sovereign people is required at frequent intervals to render a detailed report of his stewardship. The law now provides for an examination by the Auditor of State of the books and accounts of all county, city, town and school officials. The statute has resulted in the extinguishment of graft and laxity where they were absent. A notable illustration of the efficacy of this provision is presented in the fiscal affairs of the City of Des Moines. The State's checkers in the discharge of their duty exposed fraud and malfeasance in one department over a period of two years involving the misappropriation of about \$75,000 of the taxpayers' money, and successful criminal prosecutions have ensued. In an appeal to the people to be constantly watchful for corruption in their government, one of my predecessors once remarked that there will be no scandal in public administration so long as every transaction is open to public observation. I believe the examination to which I have referred should be extended to embrace all officers, and all boards, bureaus and commissions of every description operating upon revenues supplied from the public treasury. Doubtless culpable delinquencies would be uncovered rarely, but a proper supervision thus exercised would make for better observance of official duty.

My experience of two years in the executive office has convinced me that the legislation I have outlined foregoing would lift the public service to a higher level than it now occupies. Appropriate measures to effectuate these reforms will be before you, and I very earnestly invite your early and serious consideration of them.

CODE REVISION

A subject of prime importance which should engage your earliest attention is the revision of the Code. The whole body of our statutory law is in inextricable confusion, and it should be so simplified and clarified and codified that lawyer and layman alike may, without difficulty, discover where it is and interpret what it means. This ought to be done as immediately as conditions will allow, and as speedily as thoroughness will permit. I am not unaware that there is diversity of opinion as to the most expeditious course to be pursued. The subject was discussed at length prior to your last

adjournment, and I was importuned to convene a special session to deal with it. This I declined to do, because I felt that the taxpayers of the State could ill afford the expenditure of \$250,000 that would be thereby incurred, and because it became apparent to me that the work could be satisfactorily accomplished in the usual course without any extra expense whatever. I know that my refusal was denounced as obstinacy in certain quarters more or less distinguished, but I know also that the money was saved, and that no vital interest has been seriously injured by the postponement. Subsequent study of the subject has confirmed my conviction that revision can be effected at the regular session upon which you entered yesterday without dislocating other necessary business, and in this I am re-enforced by many in and out of the General Assembly whose ability and experience qualify them to measure the situation. But not by all, however. Last week a senior in years and service in this body deplored the disproportion of first-termers in Senate and House, and lamented that any sensible program will be sorely retarded by fantastic panaceas projected for the afflicted body politic. The good man did not appreciate the fact that the new members are not here to smother the State with legislation that would reproach it, but to aid the State to legislation that will benefit it. Their chief ambition, as they have divulged it, is to proceed without delay to the discharge of their duties. Every session of the Legislature to the extent that it enacts, repeals, substitutes or amends the statute, is a code-revising session. Doubtless it is true that in the days to come numerous bills will be introduced, but equally it is true that almost uniformly they will relate to modifications of existing law. They can be considered and disposed of, therefore, concurrently with the general revision in progress. The magnitude of the task confronting you has been vastly exaggerated, and the advantage of the work already done has been largely minimized. You have before you the Compiled Code and the Supplement thereto, conceded after rigid review by the last General Assembly, to embody all the general law of the State. They contain some ten thousand sections, but the Commission has undertaken the re-writing of only about one-third of them. It has formulated a bill respecting every section affected by its report, and each bill is accompanied by an elaborate brief explaining explicitly what is proposed. If any old matter is eliminated, or any new matter is inserted, or the phraseology is altered, or the arrangement is transposed, the fact as the case may be is clearly indicated and the reasons therefor succinctly stated. Thus our position is differentiated from any that has heretofore obtained, in that the mechanical drudgery of revision has now been conquered. Possessed of the original section as it appears in Code or Supplement, and armed with the explanatory brief to which I have referred, it is easily within the power of the most unskilled legislator to familiarize himself not only with the law as it is, but with the specific recommendation of the Commission concerning it, and to decide with ready facility whether he favors or opposes such recommendation. The bills of the Commission will, of course, be subject to amendment to any degree within your sound discretion. If it be urged that a special session has hitherto been resorted to under similar circumstances, it may be

answered that no comparison can be instituted between previous revisions and the one now impending because the circumstances are not similar. I am fully persuaded that more than one-half of the labor of this revision is already behind us, and that the remainder can be completed within the limits of an ordinary session. The Code Commission as well as the Law Department will be at your service for all assistance possible.

I do not need to re-state the argument for early revision. The editions of all Codes and Supplements are practically exhausted, and the people are entitled to have the laws by which they are governed reduced to compact and convenient volume. The opportunity is before you for constructive achievement, and I trust it may be zealously embraced. The way to revise the Code between this January 9th and next April 9th is to revise it; not by predicting in advance that it cannot be done and deferring it, but by resolving at once that it shall be done, and doing it.

FEDERAL ACT

On January 21, 1922, I accepted on behalf of the State the provisions of what is designated as the Sheppard-Towner Act. "For the promotion of the Welfare and Hygiene of Maternity and Infancy," etc. I did this in virtue of the authority conferred under Section 4 of said Act, and by the following formal communication:

"Miss Grace Abbott,

Chief Children's Bureau

U. S. Department of Labor,

Washington, D. C.

My dear Miss Abbott:—I am in receipt of your letter of the 12th instant. In reply I have to say:

1. That as Chief Executive of the State of Iowa, I accept insofar as I have power, the terms of the Act of Congress for the promotion of the welfare and hygiene of maternity and infancy of November 23, 1921, for a period not to exceed six months after the adjournment of the next regular session of the General Assembly.

2. I designate as the agency to co-operate with the Children's Bureau, the Iowa State Board of Education.

3. I appoint as Custodian of the funds, the State Treasurer of the State of Iowa."

By the foregoing acceptance I have exhausted all the power of the executive in the matter, and it is now submitted to you for legislative action. I venture to say that in my judgment the State should fully co-operate with the Federal government in the great and humanitarian enterprise fostered by the Act.

RAILWAY VALUATIONS

By Chapter 284, Acts of the 37th General Assembly, the Governor was "directed to undertake and carry forward such investigation and preparation as shall be necessary to properly represent the interests of the State in connection with the valuation of the property of common carriers now being conducted by the Interstate Commerce Commission, and to do all things needful in representing the State before

said commission or in any court or tribunal where the question of such valuation shall be the subject of controversy," and \$40,000.00 was appropriated to defray the expense connected therewith. Soon after I entered this office I became convinced that the work contemplated could be more efficiently and economically performed by the Railroad Commission than by the Executive Department, and at my instance the 39th General Assembly transferred the entire matter to that body. The commission has completed the major portion of the labor necessary to the ascertainment of the land values of all the carriers, and has finished the preparation of all data relating to the Rock Island. The latter company is disputing its valuations before the Interstate Commerce Commission, and the State is being represented in the contest by its attorneys. The Federal Valuation Act provides that the values of the railroads in the United States shall be determined with reference to State lines. It is of the utmost importance, therefore, that those assigned to Iowa shall be in all respects sufficient and accurate. The possession of the reliable data being accumulated will also be of immense advantage to the Executive Council in the assessment of railway property for taxation. I urgently recommend that adequate appropriation be made to continue the valuation work now being prosecuted by the Railroad Commission.

BOVINE TUBERCULOSIS

The eradication of bovine tuberculosis from the State is of the most vital importance not only because it is a menace to the livestock industry, but because of the danger of its communication to the human family. The 38th General Assembly appropriated \$100,000 to be used annually for the suppression of contagious and infectious diseases in domestic animals, and to provide indemnities in co-operation with the Federal Government for animals slaughtered as tubercular. The demands for this preventive service so multiplied that the 39th General Assembly increased the appropriation to \$250,000 per annum, which has been available the past biennium. This amount has been inadequate to answer the situation. Requests for treatment come not only from livestock owners, but also from health officials asking that dairy cows supplying milk for human consumption be subjected to a satisfactory tuberculin test.

Up to the present time 1,251 herds, representing 33,184 cattle, have been fully accredited; 4,239 herds, representing 82,116 cattle, have passed one free test. There are now on file applications from 4,674 herds, representing 91,035 cattle. In order properly to care for these applications and others being received daily, I recommend a most liberal appropriation for this great and necessary work.

PROVIDENTIAL CONTINGENT FUND

Your predecessor placed at the disposal of the Executive Council a fund of \$50,000.00 to be expended under its order in the repair or restoration of property of the State damaged or destroyed through providential causes. Practically all of this fund was necessarily disbursed during the biennium. Since the State carries no insurance on its property not

less than the amount above suggested should be appropriated to meet emergencies as they arise during the next biennial period.

STATE INSTITUTIONS

The detailed report of the Board of Control deserves your particular attention. There were, on June 30, 1922, in all the institutions under the supervision of the Board, 6,558 men and boys, and 4,060 women and girls; a total population of 10,618 people. The provision for the insane, the defective and the afflicted is unequalled anywhere. The restraint upon the incorrigible and the criminal is humane and reformatory.

There is under cultivation at the fifteen institutions 13,527 acres of land, which yielded during the biennial period farm and garden products and poultry aggregating \$673,190.21. Livestock marketed during the period was \$148,429.92, and dressed meats consumed, largely raised and slaughtered at the institutions, was \$327,270.04. A valuable herd of cows has been maintained, supplying milk of the value of \$337,750.65, all used at the institutions except that produced on the farm at Clive.

Under normal conditions the factories at Fort Madison and Anamosa net the State about \$14,000.00 per month, which it is hoped to increase as they are more fully operated to \$15,000.00 per month. On March 2nd last fire of unknown origin totally destroyed the chair works at the penitentiary. No appropriation had been asked of the last General Assembly for the establishment or maintenance of industries, but out of profits accrued from the industrial departments of the prison, together with certain unexpected balances, it was possible for the Board to erect and equip a four-story fireproof building at a cost of \$165,000.00, to replace the one burned.

During the biennial period the Board has covered back into the treasury \$321,453.70. Of this amount \$184,435.00 represents profits from the penal industries, and the remaining \$134,018.70 is unused appropriations which the Board by careful and discreet management conserved to the State.

Without exception all the institutions are so acceptably conducted that it would be difficult to indicate any criticism that might improve their administration.

THE NATIONAL GUARD

It is exceedingly gratifying to report that the National Guard is in excellent condition, with an efficiency unsurpassed by any similar body in the United States, and that it is suitably financed at an annual cost of less than eleven cents per capita of our citizenship. Once during my present term I had occasion to summon a battalion of the infantry to supplement the strength of the local authorities, and in the difficult and delicate emergency which existed officers and enlisted men alike acquitted themselves with a dignity and a discretion that commanded the unqualified approval of all. Throughout the troublous year which has just expired Iowa was one of the very few states which did not have to resort to military force for the maintenance of order. It was generally understood that the State had an adequate organization available for any exigency which might arise, and that such organization would

be promptly employed for the enforcement of law wherever the usual agencies were incompetent. Our citizen soldiery is composed of the highest character, courage and patriotism in the commonwealth, and it is entitled to the liberal support of the State.

PRINTING AND BINDING

The 39th General Assembly revamped the laws governing the State's printing and binding, and created a Board with large powers to which jurisdiction over the subject was committed. The Board has been functioning since July 1, 1921, and it is not too much to say of its management that the printing and binding of the State never has been done so expeditiously and efficiently. Exact figures in comparison cannot be presented, but I have no hesitancy in asserting that the new departure is resulting in an economy of fully \$75,000.00 per annum. The Board in its report recommends certain minor modifications of the law which it is believed will promote further improvement, and your attention is invited thereto.

TELEPHONES

Complaint has been frequently referred to me of the exaction by certain telephone companies operating in the State of installation fees, rental rates and service charges alleged to be exorbitant. Before the complaints were investigated the law was examined, and the anomalous fact was disclosed that this vital utility, so indispensable to the convenience of all, is subject to no legal regulation from any authority whatever. The Legislature has not asserted the power, nor has it conferred it upon the local municipalities. By Section 3973 of the Compiled Code it is provided that cities and towns

"shall have power to regulate and fix the rent or rate for water, gas, heat, light or power, and may regulate and fix the charges for water meters, gas meters, electric light or power meters."

The foregoing statute affords the public ample protection against overcharge for the commodities to which it applies, but telephone service is not embraced within its contemplation. In nearly every community those owning this utility enjoy an absolute monopoly, unrestrained by any competition whatever. The temptation to impose unreasonable rates is always present and sometimes irresistible. I recommend that the provisions of the Section aforesaid be extended to include the service rendered by telephone companies.

PARDONS, PAROLES AND REMISSIONS

In the past two years I have referred to the Board of Parole four applications in life cases for investigation and recommendation. In two cases the Board recommended commutations of sentence, which have not been disposed of, in the third suspension of sentence, which was granted, and in the fourth it has not returned its recommendation. I have granted pardons in five jail cases upon the recommendation of the trial judge, the county attorney and a number of representative citizens. I have granted eighty-eight suspensions of sentence upon recommendation of the Board of Parole, and sixteen upon recommenda-

tion of the trial judge who presided and the county attorney who prosecuted the cases. I have granted two suspensions of sentence from the Industrial Training School upon the recommendation of the trial judge and the county attorney who prosecuted the cases. I have restored to citizenship bench parolees upon recommendation of the Board of Parole and of the trial judge, the county attorney and a number of representative citizens, twenty-six men and one woman; and upon the recommendation of the Board of Parole four hundred seventeen men, and upon the recommendation of the board of control eighteen women. I have remitted fines in four cases, upon the recommendation of county attorney, auditor, treasurer, clerk and the board of supervisors of the respective counties. I have issued no pardons whatever in felony cases. No clemency in any case has been extended upon my own initiative, and never except recommended by the Board of Parole, the Board of Control, or the County Attorney and Judge as aforesaid.

HIGHWAYS

There are few problems more vital to the prosperity and welfare of the State than the road problem, and it will have, of course, your serious consideration. The present primary road system was designated and established by the Highway Commission, after consultation with the Boards of Supervisors, under authority granted by the 37th and 38th General Assemblies. It consists of 6,615 miles of roadway connecting all county seats and principal market centers, and it has been improved during the past biennium as follows:

By paving	266 miles
By gravelling	800 miles
By grading, draining and bridging.....	2,110 miles

The present condition of the entire system as shown by the report of the Commission is:

Paved	334 miles
Gravelled	1,558 miles
Graded, drained and bridged.....	1,761 miles
Ungraded	2,962 miles

Practically one-third of the primary system is now surfaced with gravel or paving, and it is possible to travel over such roadway from the Capital City to thirty-four county seats. All projects for grading, draining, bridging, gravelling or paving must originate with the Boards of Supervisors, as the Highway Commission has no power of initiation in respect hereof. This work is now proceeding as rapidly, I believe, as economic conditions justify, and if the present program is maintained all the primary roads in Iowa will be graded, drained and bridged within the next three years.

The secondary roads of the State are of extreme importance to the local communities which daily use them. They ought to be improved concurrently with the primary system insofar as such improvement can be financed.

The National Department of Agriculture advises me that the present Iowa Statute as respects Federal Aid projects is in conflict with the law enacted by Congress, and that unless the deficiency is remedied by

proper amendments, contributions by the Government for the construction of highways will be jeopardized. It is insisted that our law is not in harmony with the Federal law in two particulars:

(1) The Federal law locates the maintenance of Federal roads with the State Highway Department, while our law devolves such maintenance upon the Board of Supervisors.

(2) The Federal law provides that the State Highway Department shall determine the character of surfacing, while our law reposes such power in the Board of Supervisors.

The questions at issue are of much importance, and at a later time I will transmit the complete correspondence to the appropriate committee of Senate and House for the consideration the subject may demand.

With the advent of better highways has come the motor truck and motor bus as transporters of passengers and freight. Such enterprises are not always financially responsible for damages occasioned by their negligence. They pay no property tax on their vehicles, and only the moderate license fees paid by trucks not so used. Yet they capitalize the highways whose construction was financed by the taxpayers of the State. I believe they should be placed under the regulation of the Railway Commission as to rates and schedules, that they should be required to furnish bond to indemnify against injury of person or property, and that there should be levied against them a reasonable occupational tax which shall reimburse to some extent at least their impairment of the highways.

THE ARMORY AT AMES

About the middle of December the splendid Armory connected with the State College at Ames was reduced to ruin by fire. The building was used by 1,300 students, divided into sections, reporting for instruction at all hours. In addition it has been utilized to house the State Corn Show and the Little International Live Stock Show. Few buildings in the Campus could be so illy spared from the institution, and the work of reconstruction should be embarked upon at the earliest possible date. I ask you to consider it an emergency measure.

CAPTURED FLAGS

There are in the Historical Department about thirty Confederate flags, colors and emblems captured by Iowa regiments in the Civil War—mute but glorious evidence of the valor and heroism of the gallant soldiers the State contributed to that epochal struggle. These precious standards are now exposed to the open air, and with the elapse of years are beginning to disintegrate. They ought to be suitably enclosed in permanent glass receptacles, and thus preserved to future generations as priceless trophies of Iowa's conspicuous part in the great conflict which made all men free and retained every star upon our Nation's flag. I commend the matter to your appropriate action.

THE OLD CAPITOL

The Old Capitol at Iowa City is an object of fascinating interest and genuine affection to every citizen of the State. The site for the build-

ing was selected on May 4, 1839, and the cornerstone was laid with appropriate ceremonies on July 4, 1840. The structure was occupied by the Territorial and State Legislatures from December 5, 1842, until January 29, 1857. The location of the seat of government at Des Moines was approved on January 25, 1855, and the proclamation of removal was issued on October 19, 1857.

The 37th General Assembly granted to the Board of Education the sum of \$50,000 for the restoration and fireproofing of the venerable pile. The work was delayed by interruptions occasioned by the war, but since the return of peace it has progressed satisfactorily. Defects not at first suspected have been discovered by the engineers in charge, and it is ascertained that the amount originally assigned is insufficient to complete the rehabilitation. An additional appropriation, therefore should be allowed. The edifice is in constant use by the University, and it is not only beautiful in construction as a matter of architecture, but immeasurable in value for the historic associations with which it is connected.

ILLITERACY

The Federal census of 1920 shocked the proud sensibilities of the State when it revealed the unwelcome truth that there are in the Commonwealth 20,680 people over ten years of age who cannot read or write in any language. Although our per cent of illiteracy in proportion to inhabitants is lower than that of any other State, the fact that in enlightened Iowa so considerable a population is thus deficient in the most rudimentary elements of learning, is a reproach that deeply humiliates. The unhappy condition must be removed at once and completely. Acting upon my own initiative I have appointed a commission of forward-looking men and women who, without any compensation whatsoever, have enlisted to organize an intensive campaign to eradicate the stigma from our escutcheon. This commission is now functioning vigorously and efficiently. To enable the Department of Education to co-operate with it in the splendid enterprise in which it is engaged the Superintendent of Public Instruction will ask a nominal appropriation for clerical expense, and I earnestly hope that his request may have your approval.

SCHOOLS

I have reserved for the conclusion of this message all reference to that mighty interest in the State which overshadows all others in importance and value. Prouder are we than of any other consideration that from rural desk to classic cloister the facilities provided for the education of our boys and girls is unequalled anywhere in the world. The intellectual training and the moral discipline of the young are, and ought to be, the paramount concern of our people. There is complaint of the burdens of government, and the complaint is legitimate, but no good citizen regrets his contribution to the public schools of the commonwealth. Of every dollar realized from revenues of every character, practically one-half is now devoted to this great and fundamental purpose. It is well. We may properly enforce a prudence which approaches

parsimony in the other activities of the State, but our educational institutions, great and small, must be supported with a liberality that shall guarantee them their continued pre-eminence.

In a subsequent address I hope to have the honor to discuss other subjects which I believe to be pertinent. I take leave of you now with profound confidence that the legislation which shall issue from the 40th General Assembly will redound materially toward a greater and a better Iowa.

Respectfully submitted,

N. E. KENDALL,
Governor.

IOWA STATE BUDGET

Governor Kendall also presented to the General Assembly, as a part of his message, the following budget:

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, 1921, to June 30, 1922	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Bimnium	
					Fiscal year 1922-24	Fiscal year 1924-25
Adjutant General's salary.....	-----	-----	-----	-----	\$3,600.00	\$ 3,600.00
Assistant Adjutant General's salary.....	-----	-----	-----	-----	2,200.00	2,200.00
War record clerk (Civil & Spanish wars).....	-----	-----	-----	-----	1,500.00	1,500.00
Total.....	-----	-----	-----	-----	\$7,300.00	\$ 7,300.00

For reasons not indicated to this department, the 39th General Assembly provided that the salary of the Adjutant General, Assistant Adjutant General and the War Record Clerk, should be paid from the appropriation for the support of the National Guard, instead of from the Salary Act. It is recommended that the 40th General Assembly provide that the above referred to salaries be provided for in the Salary Act, this recommendation being based on former procedure, and the fact that in figuring the present appropriation for this department, it was not contemplated these salaries would be paid therefrom.

Every statement made out by this department for the past three biennial periods has consistently requested an increase for the Adjutant General. The last request was based on the increased volume of work and responsibility and the increase in living expenses. The work and responsibility is continually increasing, but realizing that living cost has materially reduced, the increase in compensation requested for the Adjutant General has been reduced accordingly. No increase is requested for the Assistant Adjutant General, as the 39th General Assembly made a substantial increase for that office. An increase of \$300.00 per year is requested for the War Record Clerk, as the responsibility attached thereto justifies compensation greater than that paid stenographers and general clerks.

IOWA WAR ROSTER COMMISSION.

Department appropriation—						
Balance unexpended.....	Ch. 331-38G. A.	\$ 3,816.44	-----	\$10,240.49	\$5,000.00	\$ 6,000.00
Department appropriation.....	Ch. 306-39G. A.	15,000.00	-----	-----	-----	-----
Refunds.....		10.20	-----	-----	-----	-----
Moving pictures.....		-----	11.69	-----	-----	-----
Express.....		-----	.40	-----	-----	-----
Telegrams.....		-----	54.89	-----	-----	-----
Printing.....		-----	57.88	-----	-----	-----
Salaries.....		-----	8,270.19	-----	-----	-----
Transportation.....		-----	174.10	-----	-----	-----
Histories.....		-----	14.00	-----	-----	-----
Supplies—purchased outside the state supply department.....		-----	3.00	-----	-----	-----
Total.....	-----	\$18,826.64	\$ 8,588.15	\$10,240.49	\$5,000.00	\$ 6,000.00

This report shows a balance on hand as of June 30, 1922, which date ends the fiscal year 1922. It is anticipated that the amount available plus the estimated amount for the next bi-annum period, will carry on the work, with a reduced office personnel sufficient to sort, record and file the remaining records as they are received from the War Department. Practically all the enlisted men's records have been received; many, however, have to be returned for correction. We are now getting the records of officers.

IOWA NATIONAL GUARD.

Is Used Items For Which Money	Citation of authority	Appropriation July 1, 1921, to June 30, 1923	Expended in fiscal year 1923	Available fiscal year 1923-24	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Department appropriation.....		\$530,000.00		\$265,000.00	\$ 300,000	\$ 300,000
Refund.....		2,954.67				
Armory rent.....	Ch. 163-39G. A.		\$ 98,375.42			
Express, freight and carriage.....	Ch. 171-39G. A.		864.47			
Physical examinations.....	Ch. 171-39G. A.		688.48			
Expense, state camp grounds and arsenal.....	Ch. 327-39G. A.		23,947.31			
Headquarters allowance.....	Ch. 163-39G. A.		3,798.76			
Per capita allowance.....	Ch. 163-39G. A.		26,232.56			
Miscellaneous office expense.....	Ch. 163-39G. A.		478.69			
Office salaries.....	Ch. 340-39G. A.		21,036.12			
Telephone and telegraph.....	Ch. 171-39G. A.		937.48			
Traveling expense.....	Ch. 171-39G. A.		6,488.54			
Rifle range allowance.....	Ch. 163-39G. A.		9,750.00			
Board meetings.....	Ch. 171-39G. A.		645.27			
Annual encampment.....	2215-f-21		15,715.30			
Office supplies issued to or- ganizations.....	Ch. 163-39G. A.		14,480.64			
Expense, brigade headquar- ters.....	2215-f-21		825.50			
Recruiting.....	Ch. 171-39G. A.		20.93			
Camp hospital expense.....	Ch. 163-39G. A.		712.02			
Rifle range expense.....	Ch. 163-39G. A.		4.31			
Miscellaneous expense.....	Ch. 163-39G. A.		412.75			
Swimming pool.....	Ch. 327-39G. A.		145.05			
Bathing pavilion.....	Ch. 327-39G. A.		81,292.75			
Special pay roll.....	Ch. 171-39G. A.		3,717.00			
Recreation building.....	Ch. 327-39G. A.		500.00			
National matches.....	Ch. 327-39G. A.		338.06			
Miscellaneous improvement.....	Ch. 171-39G. A.		6,322.00			
Inoculation and vaccination.....	2215-f-21		3.95			
Total.....		\$532,954.67	\$267,954.67			

The increased appropriation recommended is necessary, if the salary of the Adjutant General, Assistant Adjutant General, and War Record Clerk are to be paid from the appropriation indicated, and also, if the State of Iowa continues to organize National Guard units, as allocated by the War Department, under the provisions of the National Defense Act. The State is obligated to the organization of the following organizations within the next two years:

- 1 Division Headquarters Company
- 1 Headquarters Special Division Troop
- 1 Headquarters Engineer Regiment
- 1 Headquarters and Service Co. Engineer Regiment
- 1 Engineer Battalion
- 1 Sanitary Company
- 1 Ambulance Company (M. D.)
- 1 Hospital Company

Under our present organization, the budget for this fiscal year shows a contracted obligation of \$254,000.00, leaving an unallotted balance of \$11,000.00, which will not care for the increase in troops expected by the Federal Government.

ATTORNEY GENERAL.

Items For Which Money Is Used	Citation of authority	Appropriation to July 1, 1921, to June 30, 1925	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Attorney general	Sec. 211	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000	\$ 5,000
Assistant attorney general	Ch. 340-39G.A.	8,000.00	4,000.00	4,000.00	4,000	4,000
Assistant attorney general	Ch. 340-39G.A.	7,200.00	3,600.00	3,600.00	3,600	3,600
Assistant attorney general	Ch. 340-39G.A.	7,200.00	3,600.00	3,600.00	3,600	3,600
Assistant attorney general	Ch. 340-39G.A.	7,200.00	3,600.00	3,600.00	3,600	3,600
Assistant attorney general	Ch. 340-39G.A.	5,000.00	2,500.00	2,500.00	2,500	2,500
Secretary to attorney general	Ch. 340-39G.A.	3,600.00	1,800.00	1,800.00	1,800	1,800
File clerk				1,500.00	1,500	1,500
Stenographic help	Ch. 340-39G.A.	7,200.00	3,600.00	3,600.00	3,600	3,600
Contingent fund	Ch. 313-39G.A.	15,000.00	5,604.88	9,395.12	7,500	7,500
Compensation and expenses of special peace officers	Ch. 327-38G.A.	75,000.00	29,283.28	45,716.72	37,500	37,500
Total		\$145,400.00	\$ 62,588.16	\$ 82,811.84	\$ 74,200	\$ 74,200

AUDITOR OF STATE.

Salary of auditor	Ch. 340-39G.A.	\$ 8,000.00	\$ 4,000.00	\$ 4,000.00	\$ 5,200	\$ 5,200
Salary of deputy	Ch. 340-39G.A.	4,800.00	2,400.00	2,400.00	3,000	3,000
Salary of chief clerk, revenue department	Ch. 340-39G.A.	4,800.00	2,339.00	2,400.00	2,400	2,400
Salary of chief clerk, county accounting department	Ch. 340-39G.A.	4,800.00	2,400.00	2,400.00	2,400	2,400
Salary of assistant chief clerk county accounting dept.					2,000	2,000
Salary of chief clerk, municipal accounting department	Ch. 340-39G.A.	4,800.00	2,400.00	2,400.00	2,400	2,400
Salary of general clerk	Ch. 340-39G.A.	3,400.00	1,645.18	1,700.00	1,700	1,700
Salary of warrant clerk	Ch. 340-39G.A.	2,800.00	1,375.01	1,400.00	1,400	1,400
Salary of assistant warrant clerk	Ch. 340-39G.A.	2,400.00	868.51	1,200.00	1,200	1,200
Salary of stenographer and clerk	Ch. 340-39G.A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Salary of clerk and janitor	Ch. 340-39G.A.	3,000.00	1,500.00	1,500.00	1,500	1,500
Salary of voucher clerk (board of audit)	Ch. 340-39G.A.	2,800.00	1,400.00	1,400.00	1,400	1,400
Salary of two clerks (board of audit)	Ch. 340-39G.A.	4,800.00	2,400.00	2,400.00	2,400	2,400
Extra clerical assistance and contingent	Ch. 340-39G.A.	1,600.00	186.51	800.00	800	800
County examinations (county expense)	S. '13-100-a		*50,161.72			
County examinations (state expense)	S. '13-100-a		1,753.52			
Municipal examinations	S. '13-1056-all		*13,140.35			
Municipal accounting, advisory committee, expense	S. '13-1056-a10		56.46			
Inventory conference, expense	Ch. 177-39G.A.		105.77			
Total		\$ 50,400.00	\$ 89,326.08	\$ 25,200.00	\$ 29,000	\$ 29,000

The recommendation herein for the increased compensation for the State Auditor is made for the reason that the present salary is very inadequate, and it is believed that he, as well as the other two members of the Executive Council, should receive the same compensation for performing the same duties on that Council, as does the Governor, the fourth member of the Executive Council.

The recommendation for an increase for the Deputy Auditor of State is made for the reason that the responsibilities and the qualifications of a person occupying this position are such that the present compensation is not adequate.

The position of Assistant Chief Clerk of the County Accounting Department, herein recommended, was discontinued at my request by the Thirty-ninth General Assembly. It has been found impossible to properly perform the work in this very important department without a competent assistant.

*Reimbursed by counties or municipalities to the state.

BANKING DEPARTMENT.

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921, to June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Superintendent-----	Ch.335-38G A.	There is no appropriation. This department is entirely supported by the fees collected by its examiners (This has been authorized by R. & R. Order No. 44, beginning August 2, 1922)	\$ 4,000.00	Fees	\$ 4,000	\$ 4,000
Deputy-----	Ch.335-38G A.		3,000.00	Fees	3,000	3,000
Expenses-----	Ch.335-38G A.		750.42	Fees	1,800	1,800
Clerks (6)-----	Ch.335-38G A.		6,292.68	Fees	10,000	10,000
Examiners (14)-----	Ch.335-38G A.		34,076.04	Fees	40,000	40,000
Expense-----	Ch.335-38G A.		18,404.94	Fees	20,000	20,000
Examiners, special-----	R. & R. Order 23		326.38	Fees	1,000	1,000
Expense-----	R. & R. Order 23		290.66	Fees	1,000	1,000
Clerk and loan examiner-----	R. & R. Order 36		550.00	Fees	1,800	1,800
Expense-----	R. & R. Order 36		115.44	Fees	500	500
Assistant examiners (6)-----	(This has been authorized by R. & R. Order No. 44, beginning August 2, 1922)				10,000	10,000
Expense-----					9,000	9,000
Total-----			\$ 67,806.56		\$ 102,100	\$ 102,100

BUREAU OF VENEREAL DISEASE CONTROL.

Administration -----	Ch.301-39G A.	\$ 50,000.00	\$ 5,323.06	\$ 25,000.00	\$ 25,000	\$ 25,000
Treatment -----			13,087.79			
Education -----			6,589.13			
Total-----			\$ 25,000.00			

BOARD OF PAROLE.

General expenses of depart'm't	5718 A-15	Gen. fund	\$ 33,476.41	Gen. fund	\$ 39,000	\$ 40,000
Three board members, \$10 per day	Sec.34, Ch.340-39G A.					
Two parole agents, \$2,000 per year	Sec.34, Ch.340-39G A.					
Secretary, \$2,700 per year	Sec.34, Ch.340-39G A.					
File clerk, \$1,500 per year	Sec.34, Ch.340-39G A.					
Two stenographers, \$1,200 per year each and necessary expenses for all	Sec.34, Ch.340-39G A.					
Stenographer, \$1,200 per year	No.41, R. & R.					
Total-----			\$ 33,476.41		\$ 39,000	\$ 40,000

The law creating the Board of Parole fixed the compensation of the three members at \$10 per day with the idea that the work would require only part of their time, but since the time of the creation of the board the work has increased to such an extent that it now takes all of their time and they should be on a salary basis and the above estimate contemplates a salary of \$4,000.00 per annum each which is in line with the compensation of other boards with the same work and responsibilities. The above estimate also contemplates an additional agent at a salary of \$2,000.00 per year and expenses as well as making permanent the temporary authorization of a stenographer at \$1,200.00 per year by the Retrenchment and Reform Committee.

In connection with the above, it is well to call attention to the fact that our prison population has doubled in the past few years thereby practically doubling the work of this department, and the increase of help and compensation allowance by the legislature has not been in proportion with the increase of the work and duties of the department.

BOARD OF HEALTH.

Items For Which Money Is Used	Citation of authority	Appropriation to July 1, 1921, June 30, 1922	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Physician members, salaries.	Ch. 272-38G.A.	\$ 7,200.00	\$ 3,600.00	\$ 3,600.00	\$ 3,600	\$ 3,600
Engineer's salary	Ch. 272-38G.A.	5,000.00	2,500.00	2,500.00	4,000	4,000
Secretary's salary	Ch. 272-38G.A.	6,000.00	3,000.00	3,000.00	6,100	6,100
Assistant secretary's salary.	Ch. 272-38G.A.	3,000.00	1,500.00	1,500.00	2,400	2,400
Chief clerk	Ch. 272-38G.A.	3,000.00	1,500.00	1,500.00	2,400	2,400
Antitoxin clerk	Ch. 272-38G.A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Board of health clerk	Ch. 272-38G.A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Board of health clerk for sanitary engineer	Ch. 272-38G.A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Bookkeeper	Ch. 272-38G.A.	2,400.00	1,200.00	1,200.00	1,500	1,500
Clerk V. S. D.	Ch. 272-38G.A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Clerk V. S. D.	Ch. 272-38G.A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Janitor clerk	Ch. 272-38G.A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Board of health	Ch. 388, Sec. 1-38G.A.	20,000.00	4,189.38	10,000.00	*10,000	*10,000
Housing department	Ch. 388, Sec. 2-38G.A.	10,000.00	4,570.45	5,000.00	5,000	5,000
Antitoxin department	S. 2572-D	4,000.00	1,994.83	2,000.00	2,000	2,000
Embalmer's department	S. 2574-A44		1,307.81			
Nurses' department	S. 2575-A34		1,511.14			
Medical examiners	C. S. 2583		863.21			
Optometry department	C. S. 2583P		535.80			
Vital statistics department	Ch. 292, Sec. 24-29G.A.	20,000.00	9,993.04	10,000.00	10,000	10,000
Plumbing department	Ch. 278, Sec. 2-38G.A.		18.80			
Bacteriological department	C. S. 2575-A9	30,000.00	14,999.73	15,000.00	25,000	25,000
Podiatry department	Ch. 113, Sec. 7-39G.A.		328.28			
Total		\$125,000.00	\$ 80,922.47	\$ 62,500.00	\$ 79,100	\$ 79,100

*The \$10,000.00 has only been available as a portion of the amount of money spent for Public Health work, and the several separate and distinct appropriations should be combined in one appropriation known as public health budget.

The \$10,000 for vital statistics will be sufficient providing the law is amended to allow the postage and printing to be paid as is other state printing and postage, and paid for out of general fund.

BUREAU OF LABOR STATISTICS.

Commissioner, salary	*S. 2477	\$ 6,000.00	\$ 3,000.00	\$ 3,000.00	\$ 8,000	\$ 8,000
Deputy	*S. 2477	4,000.00	2,000.00	2,000.00	2,000	2,000
Three inspectors	*S. 2477	10,000.00	5,400.00	5,400.00	5,400	5,400
Statistician	Ch. 330-93.A.	3,000.00	1,800.00	1,800.00	1,800	1,800
Department clerk	*S. 2477	2,400.00	1,200.00	1,200.00	1,200	1,200
Stenographer	Ch. 330-33G.A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Chief clerk of employment service	SS. 2477-g1	3,600.00	1,800.00	1,800.00	1,800	1,800
Supervisor Sioux City employment service	R. & R. Order 25 R. & R. Order 6	3,300.00	1,500.00	1,800.00	1,800	1,800
Traveling expenses	S. 2477	8,000.00	3,395.32	4,000.00	8,000	8,000
Two inspectors					3,600	3,600
Clerk					1,200	1,200
Total		\$ 43,300.00	\$ 21,298.32	\$ 22,200.00	\$ 31,000	\$ 31,000

Notes:

*This code citation indicates the provision for the creation of the office, but salary given in budget is provided by Chapter 340. 39th General Assembly.

†Salary of Supervisor Sioux City Employment Office was provided for period September 1, 1921, to June 30, 1922, by Retrenchment and Reform Committee by order No. 25 and for period July 1, 1922, to July 1, 1923, by order No. 46.

†Two additional inspectors (one man and one woman) each to be paid \$1,800.00 per annum, and additional Clerk for office at \$1,200.00 per annum is recommended for next biennium.

**BOARD OF RAILROAD COMMISSIONERS AND COMMERCE COUNSEL.
DEPARTMENT.**

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921, to June 30, 1921	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Members salaries (3).....	Ch. 340-39G. A.	\$ 21,600.00	\$ 10,800.00	\$ 10,800.00	\$10,800.00	\$10,800.00
Secretary.....	Ch. 340-39G. A.	5,640.00	2,820.00	2,820.00	2,820.00	2,820.00
Chief rate clerk.....	Ch. 340-39G. A.	5,040.00	2,520.00	2,520.00	2,520.00	2,520.00
Reporter.....	Ch. 340-3G. A.	4,800.00	2,400.00	2,400.00	2,400.00	2,400.00
Assistant rate clerk.....	Ch. 340-39G. A.	3,600.00	1,800.00	1,800.00	1,800.00	1,800.00
Chief clerk.....	Ch. 340-39G. A.	3,840.00	1,920.00	1,920.00	1,920.00	1,920.00
Assistant rate clerk.....	Ch. 340-39G. A.	3,840.00	1,920.00	1,920.00	1,920.00	1,920.00
Tariff clerk and stenographer.....	Ch. 340-39G. A.	2,600.00	1,300.00	1,300.00	1,300.00	1,300.00
Statistician.....	Ch. 340-39G. A.	4,000.00	2,000.00	2,000.00	2,000.00	2,000.00
Signal engineer.....	Ch. 340-39G. A.	4,800.00	2,400.00	2,400.00	2,400.00	2,400.00
Electrical engineer.....	Ch. 340-39G. A.	5,400.00	2,700.00	2,700.00	2,700.00	2,700.00
File clerk.....	Ch. 340-39G. A.	2,640.00	1,320.00	1,320.00	1,320.00	1,320.00
Stenographers (3).....	Ch. 340-39G. A.	7,200.00	3,600.00	3,600.00	3,600.00	3,600.00
Commerce counsel.....	Ch. 340-39G. A.	10,000.00	5,000.00	5,000.00	5,000.00	5,000.00
Assistant commerce counsel.....	Ch. 340-39G. A.	5,400.00	2,700.00	2,700.00	2,700.00	2,700.00
L. w. clerk.....	Ch. 340-39G. A.	4,200.00	2,100.00	2,100.00	2,100.00	2,100.00
Clerk.....	Ch. 340-39G. A.	3,000.00	1,500.00	1,500.00	1,500.00	1,500.00
Stenographer.....	Ch. 340-3G. A.	2,400.00	1,035.17	1,200.00	1,200.00	1,200.00
Railroad maps.....	Ch. 309-39G. A.	60,000.00	---	30,000.00	20,000.00	20,000.00
Department appropriation.....	Ch. 309-39G. A.	---	154.00	---	---	---
Transcript and reporting.....	Ch. 309-39G. A.	---	214.30	---	---	---
Supplies.....	Ch. 309-39G. A.	---	271.78	---	---	---
Periodicals.....	Ch. 309-39G. A.	---	346.00	---	---	---
Law books.....	Ch. 309-39G. A.	---	235.63	---	---	---
Books—other than law.....	Ch. 309-39G. A.	---	20.99	---	---	---
Publication official notices.....	Ch. 309-39G. A.	---	40.30	---	---	---
Miscellaneous.....	Ch. 309-39G. A.	---	7,554.83	---	---	---
Traveling expense.....	Ch. 309-39G. A.	---	---	---	---	---
National Assn. of Ry. and Titles Commrs.—Gen. Solicitors Off.....	Ch. 309-39G. A.	---	1,050.00	---	---	---
Extra help.....	Ch. 309-39G. A.	---	3,690.00	---	---	---
Rate cases—interstate.....	Ch. 309-39G. A.	---	275.00	---	---	---
Valuation of railroads.....	Ch. 337-39G. A.	*\$2,804.38	---	12,797.12	20,000.00	20,000.00
Traveling expense.....	Ch. 337-39G. A.	---	6,253.92	---	---	---
Valuation counsel.....	Ch. 337-39G. A.	---	3,100.00	---	---	---
Valuation appraisers.....	Ch. 337-39G. A.	---	10,670.00	---	---	---
Clerical help.....	Ch. 337-39G. A.	---	7.00	---	---	---
Blue prints.....	Ch. 337-39G. A.	---	74.49	---	---	---
Supplies.....	Ch. 337-39G. A.	---	1.85	---	---	---
Total.....		\$102,804.38	\$ 81,651.17	\$ 92,797.12	\$94,000.00	\$90,000.00

*Chapter 337, 39th General Assembly, effective April 13, 1921, turned over to the Railroad Commission the unexpended balance in Chapter 284, 37th General Assembly, viz., \$35,483.03. The sum of \$2,683.65 was expended by the Railroad Commission from April 13, 1921, to June 30, 1921.

BOARD OF CONSERVATION.

Lands, custodian salaries, etc.	Ch. 298-37G. A.	\$200,000.00	\$114,683.87	\$ 85,316.13	\$ 100,000	\$ 100,000
	Ch. 368-38G. A.					

The amount and purposes of expenditure of this fund are to be found in the accounts of the Auditor of State. Authority for expenditure has consisted in recommendations by the Board of Conservation and order of the Executive Council. There are exceptions when the Council has acted alone. The foregoing statement has been drawn from the records of the Auditor of State and is submitted by the Curator of the Historical Department as Secretary of the Board of Conservation solely to point the disposition of the funds and not as fixing nor implying responsibility and authority therein.

BOARD OF CONTROL

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921, to June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Members' salaries (3)-----	Sec. 8, Ch. 340-39G. A.	\$ 24,000.00	\$ 12,000.00	\$ 12,000.00	\$ 12,000	\$ 12,000
Secretary -----	Sec. 8, Ch. 340-39G. A.	6,000.00	3,000.00	3,000.00	3,000	3,000
Architect -----	Sec. 8, Ch. 340-39G. A.	7,200.00	3,600.00	3,600.00	3,600	3,600
Chief accountant -----	Sec. 8, Ch. 340-39G. A.	4,400.00	2,200.00	2,200.00	2,200	2,200
First assistant accountant--	Sec. 8, Ch. 340-39G. A.	3,600.00	1,800.00	1,800.00	1,800	1,800
Second assistant accountant	Sec. 8, Ch. 340-39G. A.	3,200.00	1,600.00	1,600.00	1,600	1,600
Purchasing agent -----	Sec. 8, Ch. 340-39G. A.	5,000.00	2,500.00	2,500.00	2,500	2,500
Estimate clerk -----	Sec. 8, Ch. 340-39G. A.	3,000.00	1,500.00	1,500.00	1,500	1,500
Statistician -----	Sec. 8, Ch. 340-39G. A.	3,000.00	1,500.00	1,500.00	1,500	1,500
Parole clerk -----	Sec. 8, Ch. 340-39G. A.	3,000.00	1,500.00	1,500.00	1,500	1,500
File clerk -----	Sec. 8, Ch. 340-39G. A.	3,000.00	1,500.00	1,500.00	1,500	1,500
Draftsman -----	Sec. 8, Ch. 340-39G. A.	3,400.00	1,700.00	1,700.00	1,700	1,700
1—Stenographer -----	Sec. 8, Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
2—Stenographer -----	Sec. 8, Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
3—Stenographer -----	Sec. 8, Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
4—Stenographer -----	Sec. 8, Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
5—Stenographer -----	Sec. 8, Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
6—Stenographer -----	Sec. 8, Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Storekeeper and clerk-----	Sec. 8, Ch. 340-39G. A.	3,000.00	1,500.00	1,500.00	1,500	1,500
Extra help -----	Sec. 15, Ch. 313-39G. A.	4,000.00	555.65	3,444.35	2,000	2,000
State agents' salaries-----	Sec. 8, Ch. 340-39G. A.	18,480.00	8,880.00	9,240.00	10,000	10,000
Expenses (state agents)-----	Sec. 8, Ch. 340-39G. A.	-----	6,688.41	-----	10,000	10,000
Inspection of county and private institutions-----	Ch. 308-38G. A.	6,000.00	2,628.08	3,371.92	3,500	3,500
Investigation of tuberculosis	Sec. 2727-289	10,000.00	3,362.95	6,637.05	10,000	10,000
Quarterly conferences-----	Sec. 2727-a69	500.00	103.76	396.24	500	500
Friendless girls -----	Sec. 10, Ch. 313-39G. A.	5,000.00	1,550.00	3,450.00	2,500	2,500
State roads -----	-----	-----	-----	-----	25,000	25,000
Total-----	-----	\$130,180.00	\$ 66,868.85	\$ 69,639.56	\$ 106,600	\$ 106,600

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921, to June 30, 1922	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Commissioner.....	Ch. 340-39G. A.	\$ 8,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000	\$ 4,000
Deputy.....	Ch. 340-39G. A.	5,400.00	2,462.50	2,700.00	3,000	3,000
Actuary.....	Ch. 340-39G. A.	10,000.00	3,237.50	5,000.00	5,000	5,000
Chief examiner.....	Ch. 340-39G. A.	5,200.00	2,600.00	2,600.00	3,000	3,000
Securities clerk.....	Ch. 340-39G. A.	4,800.00	2,400.00	2,400.00	3,000	3,000
Assistant securities clerk.....	R. & R. Order	3,200.00	1,600.00	1,600.00	2,000	2,000
2nd assistant security clerk.....					2,000	2,000
Fee clerk.....	Ch. 340-39G. A.	3,600.00	1,800.00	1,800.00	1,800	1,800
General clerk.....	Ch. 340-39G. A.	3,200.00	1,600.00	1,600.00	1,800	1,800
Certificate clerk.....	Ch. 340-39G. A.	3,000.00	750.00	1,500.00	1,800	1,800
File clerk.....	Ch. 340-39G. A.	2,100.00	540.00	1,080.00	1,200	1,200
Policy examiner.....	Ch. 340-39G. A.	4,200.00	2,100.00	2,100.00	2,400	2,400
Complaint clerk.....	Ch. 340-39G. A.	4,200.00	2,000.00	2,100.00	2,100	2,100
Clerk and janitor.....	Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,400	1,400
Five stenographers.....	Ch. 340-39G. A.	12,000.00	4,601.08	6,000.00	6,000	6,000
One additional stenographer.....					1,200	1,200
†Additional help.....	1683-r2		13,483.02*	12,000.00†	12,000†	12,000†
Examination expense.....	1821-c		44,422.65	44,000.00*	44,000*	44,000*
Contingent expense.....	1683-r2	4,000.00	1,128.18	2,000.00	5,000	5,000
Total.....		\$ 75,300.00	\$90,214.88	\$37,680.00	\$ 102,700	\$ 102,700

†This expenditure under 1683-r2 includes the expense of the Department in keeping regular examiners in the office to examine the annual statements of the companies. This expense is charged to "Additional Help", but in collecting the fees due this Department \$20.00 is charged each foreign company for this service (approximately \$10.000 collected annually for that purpose) and turned over with the regular departmental fees to the Treasurer of State.

*This entire expense paid by the insurance companies and not from any appropriated fund of the State.

Another clerk is necessary in the Securities Department on account of the extremely heavy work. No increase in help has been made since 1918 when securities on deposit were about \$87,000,000.00. There are now \$164,000,000.00 and additional help is absolutely necessary.

RECEIPTS OF INSURANCE DEPARTMENT, 1921-1922.

Collected	
Taxes collected.....	\$2,152,958.36
Agents' Licenses.....	189,221.70
Miscellaneous certificates.....	8,745.42
Filing Statements.....	20,824.00
General certificates.....	2,193.50
Certificates of Publication.....	2,856.00
Retaliatory fees.....	11,180.71
Filing Charters.....	2,162.00
Examination Fees.....	80,273.74
Special Fund collected under Sec. 1737.....	9,312.00
Total taxes and fees collected.....	\$2,479,727.43
Disbursed	
Paid to Treasurer of State (except taxes).....	\$317,457.07
Disbursement under Sec. 1737.....	9,312.00
	\$326,769.07

CUSTODIAN OF BUILDINGS AND GROUNDS.

Items For Which Money Is Used	Citation of authority	Appropriation to July 1, 1921, to June 30, 1923	Expended in fiscal year 1921-23	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
One assistant custodian and engineer	Ch. 340-39G. A.	\$ 4,840.00	\$ 2,420.00	\$ 2,420.00	\$ 2,400	\$ 2,400
One first assistant engineer.....	Ch. 340-39G. A.	8,450.00	1,750.00	1,750.00	1,725	1,725
One second assistant engineer.....	Ch. 340-39G. A.	8,220.00	1,610.00	1,610.00	1,610	1,610
One machinist and electrician.....	Ch. 340-39G. A.	8,450.00	1,750.00	1,750.00	1,725	1,725
One assistant machinist.....	Ch. 340-39G. A.	8,220.00	1,655.53	1,614.47	1,610	1,610
One carpenter.....	Ch. 340-39G. A.	8,450.00	1,725.00	1,725.00	1,725	1,725
Four capitol police.....	Ch. 340-39G. A.	12,000.00	6,000.00	6,000.00	6,000	6,000
One extra engineer.....	Ch. 340-39G. A.	8,220.00	1,610.00	1,610.00	1,610	1,610
One chief fireman.....	Ch. 340-39G. A.	3,000.00	1,500.00	1,500.00	1,500	1,500
One florist.....	Ch. 340-39G. A.	8,220.00	1,610.00	1,610.00	1,610	1,610
Five firemen.....	Ch. 340-39G. A.	13,800.00	6,900.00	6,900.00	6,900	6,900
One painter.....	Ch. 340-39G. A.	8,800.00	1,900.00	1,900.00	1,900	1,900
Two yardmen.....	Ch. 340-39G. A.	4,800.00	2,400.00	2,400.00	2,400	2,400
One janitor foreman.....	Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Twenty janitors.....	Ch. 340-39G. A.	48,000.00	23,833.24	24,146.71	24,000	24,000
One mason.....	Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
One stenographer and clerk.....	Ch. 340-39G. A.	3,000.00	1,500.00	1,500.00	1,500	1,500
One fireman, Bryant school building.....	Ch. 340-39G. A.	2,760.00	1,085.00	1,725.00	1,890	1,890
For removal of snow and extra help.....	Ch. 340-39G. A.	1,000.00	-----	1,000.00	500	500
For allowance of washing towels.....	Ch. 340-39G. A.	600.00	-----	600.00	300	300
Extra carpenter, painter and other labor.....	Ch. 313-39G. A.	8,600.00	3,265.00	335.00	2,500	2,500
Total.....		\$129,230.00	\$ 64,783.82	\$ 64,416.71	\$ 65,295	\$ 65,295

CLERK OF THE SUPREME COURT.

Clerk's salary	Sec. 10, Ch. 310-39G. A.	\$ 6,000.00	\$ 3,000.00	\$ 3,000.00	\$ 4,000	\$ 4,000
Deputy clerk's salary.....	Sec. 10, Ch. 340	4,600.00	2,000.00	2,000.00	2,400	2,400
Brief and file clerk's salary.....	Sec. 10, Ch. 340	3,500.00	1,600.00	1,600.00	1,600	1,600
General clerk's salary.....	Sec. 10, Ch. 340	2,400.00	1,200.00	1,200.00	1,500	1,500
Messenger and janitor, salary.....	Sec. 10, Ch. 310	2,400.00	1,200.00	1,200.00	1,200	1,200
Contingent fund	Sec. 12, Ch. 313	600.00	330.50	260.50	600	600
Total.....		\$ 18,600.00	\$ 9,330.50	\$ 9,260.50	\$ 11,500	\$ 11,500

CAPITOL GROUNDS (FORMERLY CAPITOL EXTENSION).

One superintendent and engineer					\$ 2,400	\$ 2,400
One electrician					1,725	1,725
One mechanic					1,500	1,500
Maintenance of grounds.....					11,000	11,500
Repacements					3,125	3,125
Essential new work.....					7,900	7,900
Total.....					\$ 28,150	\$ 28,150

The office of custodian has been filled by the Executive Council since July 1, 1921. The maintenance and improvements on the Capitol Grounds has been paid from the ten-year tax levy provided for the improvement of the Capitol Grounds Extension. The proceeds of the Capitol Extension certificates issued in anticipation of the ten-year levy having been exhausted it will be necessary to make an appropriation to properly maintain the grounds.

COMMISSION OF ANIMAL HEALTH.

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921, to June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
State veterinarian	Ch 238-38G. A.					
Two commissioners	Ch 238-38G. A.	\$ 800.00	\$ 400.00	\$ 400.00	\$ 400	\$ 400
Four commissioners	Ch 238-38G. A.	800.00	400.00	400.00	400	400
Deputy office veterinarian	R. & R. Comm.	3,600.00	1,800.00	1,800.00	2,040	2,040
Tuberculosis field inspectors, nine employed	R. & R. Comm.	4,400.00	14,495.75	22,000.00	22,000	22,000
Clerk	Ch 340-39G. A.	2,400.00	1,120.00	1,200.00	1,200	1,200
Stenographer	Ch 340-39G. A.	2,400.00	995.00	1,200.00	1,200	1,200
Assistant state veterinarians, per diem and expenses	Ch 287-38G. A.		5,996.46	6,000.00	6,000	6,000
Members of commission of animal health experiment	Ch 238-38G. A.		734.25	1,600.00	1,600	1,600
Salary and expense of hog cholera extension work	Ch 173-39G. A.		6,422.10			
Indemnities	Ch 287-38G. A.		233,407.72			
Appropriation	Ch 287-38G. A.	500,000.00		250,000.00	250,000	250,000
Appropriation					400.00	400,000
Appropriated by retrenchment and reform commission	Ch 302-39G. A.	56,849.27				
Total		\$571,249.27	\$265,771.23	\$284,000.00	\$ 684,840	\$ 684,840

At a meeting of the Iowa Commission of Animal Health held in Des Moines, Iowa, November 2, 1922, they decided to ask for an additional appropriation of \$400,000.00.

DAIRY AND FOOD DEPARTMENT.

Commissioner	Ch 340-26-39G. A.	\$ 6,600.00	\$ 3,300.00	\$ 3,300.00	\$ 3,300	\$ 3,200
Deputy commissioner	Ch 340-26-39G. A.	5,200.00	2,600.00	2,600.00	2,600	2,600
Superintendent weights and measures	Ch 340-26-39G. A.	4,800.00	2,400.00	2,400.00	2,400	2,400
Chief chemist	Ch 340-26-39G. A.	5,400.00	2,700.00	2,700.00	2,700	2,700
Two assistant chemists and bacteriologists	Ch 340-26-39G. A.	8,400.00	2,100.00	2,100.00	2,100	2,100
Chief clerk	Ch 340-26-39G. A.	4,000.00	2,000.00	2,000.00	2,100	2,000
License clerk	Ch 340-26-39G. A.	3,000.00	1,500.00	1,500.00	1,500	1,500
Three stenographers	Ch 340-26-39G. A.	7,200.00	3,600.00	3,600.00	3,600	3,600
*Six creamery inspectors	Ch 340-26-39G. A.	25,200.00	11,061.38	12,600.00	12,600	12,600
Dairy inspector	Ch 340-26-39G. A.	4,500.00	2,100.00	2,100.00	2,100	2,100
*Three dairy and food inspectors	Ch 340-26-39G. A.	12,600.00	5,282.76	6,300.00	6,300	6,300
Eight food inspectors	Ch 340-26-39G. A.	33,600.00	15,626.43	16,800.00	16,800	16,800
Two weights and measures inspectors	Ch 340-26-39G. A.	8,400.00	4,200.00	4,200.00	4,200	4,200
Twenty city milk inspectors	Ch 340-26-39G. A.	19,440.00	8,335.00	9,720.00	9,720	9,720
Junior	Ch 340-26-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Extra clerk hire	Ch 313-16-39G. A.	2,000.00	737.28	1,000.00	1,000	1,000
Expense	Sec. 4999-A-31f	80,000.00	80,816.17	40,000.00	35,000	35,000
Total		\$232,440.00	\$99,559.00	\$114,120.00	\$ 109,120	\$ 109,120

In the salaries in the dairy and food department which are on a sliding scale, the inspectors shall receive the sum of \$1,800.00 for their first year in the department and shall receive an annual increase of \$100.00 per year until the maximum salary of \$2,100.00 is reached.

*One inspector employed part of year.

DEPARTMENT OF AGRICULTURE.

Items For Which Money is Used	Citation of authority	Appropriation to July 1, 1921, June 30, 1921	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1922-24	Fiscal year 1924-25
Insurance on buildings.....	S.1657-T	\$ 2,000.00	\$ 3,038.64	\$ 1,000.00	\$ 2,000	\$ 2,000
Support of department of agriculture.....	S.1657-T	4,800.00	2,400.00	2,400.00	2,400	2,400
Maintenance of state fair grounds and buildings.....	Ch.303-39G.A.	12,500.00	12,500.00	-----	15,000	15,000
Additional land.....	Ch.303-39G.A.	4,513.00	4,513.00	-----	-----	-----
Paving assessment.....	Ch.303-39G.A.	15,073.00	11,779.91	3,293.09	-----	-----
Total.....	-----	\$ 38,886.00	\$ 34,229.55	\$ 6,693.09	\$ 19,400	\$ 19,400

DISTRICT COURT.

Judges' salaries.....	S.S.253	\$512,000.00	\$257,501.28	-----	\$ 250,000	\$ 250,000
Judges' traveling expenses.....	S.S.253	"	21,072.95	-----	22,000	22,000
Expenses outside district.....	S.240-b	"	627.00	-----	800	800
Total.....	-----	\$512,000.00	\$279,151.23	-----	\$ 278,800	\$ 278,800

*Not limited.

EXECUTIVE COUNCIL.

One secretary.....	Ch.340-39G.A.	\$ 5,400.00	\$ 2,700.00	\$ 2,700.00	\$ 3,000	\$ 3,000
One assistant secretary.....	Ch.340-39G.A.	4,800.00	2,400.00	2,400.00	2,400	2,400
One 2nd assistant secretary.....	Ch.340-39G.A.	3,000.00	1,500.00	1,500.00	1,500	1,500
One purchasing agent.....	Ch.340-39G.A.	3,360.00	1,680.00	1,680.00	1,680	1,680
One supply room clerk.....	Ch.340-39G.A.	3,000.00	1,200.00	1,800.00	1,200	1,200
One tax clerk.....	Ch.340-39G.A.	2,400.00	1,200.00	1,200.00	1,200	1,200
One postmaster.....	Ch.340-39G.A.	2,800.00	1,400.00	1,400.00	1,400	1,400
One clerk.....	Ch.340-39G.A.	3,000.00	1,500.00	1,500.00	1,500	1,500
One store room janitor.....	Ch.340-39G.A.	2,400.00	1,200.00	1,200.00	1,200	1,200
One clerk.....	Ch.340-39G.A.	2,400.00	1,200.00	1,200.00	1,200	1,200
One accountant.....	Ch.340-39G.A.	4,800.00	2,400.00	2,400.00	2,400	2,400
One assistant accountant.....	Ch.340-39G.A.	3,600.00	1,800.00	1,800.00	1,800	1,800
One 2nd assistant accountant.....	Ch.340-39G.A.	3,000.00	1,500.00	1,500.00	1,500	1,500
One 3rd assistant accountant.....	Ch.340-39G.A.	2,800.00	1,400.00	1,400.00	1,400	1,400
Total.....	-----	\$ 46,760.00	\$ 23,080.00	\$ 23,080.00	\$ 23,890	\$ 23,890
Furniture, stores, supplies.....	Ch.313-39G.A.	\$250,000.00	\$ 80,458.45	\$169,541.55	\$ 125,000	\$ 125,000
Fuel.....	Ch.313-39G.A.	60,000.00	26,885.40	\$3,114.60	30,000	30,000
Tel. and telegraph repairs, water and light.....	Ch.313-39G.A.	25,000.00	18,164.87	6,835.13	30,000	20,000
Express and freight.....	Ch.313-39G.A.	15,000.00	1,900.14	13,099.86	7,500	7,500
Advertising laws.....	Ch.313-39G.A.	5,000.00	3,555.50	1,444.50	2,500	2,500
Governor's conference.....	Ch.313-39G.A.	500.00	500.00	-----	250	250
Necessary expense.....	Ch.313-39G.A.	8,000.00	1,469.90	1,530.10	1,500	1,500
Repairs and improvements.....	Ch.314-39G.A.	16,000.00	11,819.76	4,680.24	-----	-----
Provisional contingent.....	Ch.313-39G.A.	50,000.00	12,736.20	\$7,263.80	50,000	50,000
Great Lakes-St. Lawrence Tide Water Asso.....	Ch.339-39G.A.	10,000.00	5,269.24	4,730.76	5,000	5,000
Total.....	-----	\$434,500.00	\$162,614.56	\$271,885.44	\$ 241,750	\$ 241,750

FISH AND GAME DEPARTMENT.

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921 to June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Warden's salary.....	Ch.340-39G.A.	-----	\$ 2,700.00	-----	\$ 2,700	\$ 2,700
Assistant warden's salary.....	Ch.340-39G.A.	-----	1,600.00	-----	1,600	1,600
Assistant warden's salary.....	Ch.340-39G.A.	-----	1,406.67	-----	1,600	1,600
Secretary's salary.....	Ch.340-39G.A.	-----	1,800.00	-----	1,800	1,800
Game farm keeper's salary.....	Ch.340-39G.A.	-----	1,553.24	-----	1,800	1,800
Assistant game farm keeper's salary.....	Ch.340-39G.A.	-----	1,080.00	-----	1,200	1,200
Stenographer's salary.....	Ch.340-39G.A.	-----	1,192.04	-----	1,200	1,200
Special deputy warden's salary.....	Ch.340-39G.A.	-----	56,908.50	-----	55,000	55,000
Traveling expenses.....	Ch.340-39G.A.	-----	24,334.28	-----	20,000	20,000
Engineer's salary.....	R.R. Committee	-----	700.00	-----	-----	-----
Fish hatchery expense.....	S'13-2563-a6	-----	20,099.15	-----	25,000	25,000
Fish distribution.....	S'13-2563-a6	-----	8,032.30	-----	10,000	10,000
State park improvements.....	S'13-2563-a6	-----	5,182.86	-----	-----	-----
Printing.....	S'13-2563-a6	-----	5,274.48	-----	6,000	6,000
Educational.....	S'13-2563-a6	-----	1,699.20	-----	3,000	3,000
Game farm expense.....	S'13-2563-a6	-----	1,631.31	-----	5,000	5,000
Property bought.....	S'13-2563-a6	-----	1,751.91	-----	5,000	5,000
Office expense.....	S'13-2563-a6	-----	1,303.17	-----	1,500	1,500
Care of game birds (wild rice plantings).....	S'13-2563-a6	-----	1,551.00	-----	1,500	1,500
Public waters expenditures.....	S'13-2563-a6	-----	256.77	-----	1,000	1,000
Miscellaneous.....	S'13-2563-a6	-----	39.16	-----	-----	-----
Fish rescue work.....	S'13-2547-b	-----	4,509.23	-----	8,000	8,000
Boundary waters license record book.....	S'13-2547-b	-----	18.00	-----	-----	-----
Total.....			\$144,733.30	-----	\$ 152,900	\$ 152,900

This Department is one whose work may be enlarged proportionally to the amount of money available.

GOVERNOR.

Governor.....	Ch.340-39G.A.	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000	\$ 5,000
As member of Executive Council.....	Ch.340-39G.A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Secretary to governor.....	Ch.340-39G.A.	4,800.00	2,400.00	2,400.00	2,400	2,400
Pardon clerk.....	Ch.340-39G.A.	3,600.00	1,800.00	1,800.00	1,800	1,800
Stenographer and file clerk.....	Ch.340-39G.A.	2,800.00	1,300.00	1,300.00	1,300	1,300
Notarial clerk.....	Ch.340-39G.A.	2,600.00	1,300.00	1,300.00	1,300	1,300
Messenger and usher.....	Ch.340-39G.A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Governor's house rent.....	Ch.340-39G.A.	1,200.00	600.00	600.00	600	600
Contingent fund.....	Ch.313-39G.A.	5,000.00	637.84	4,362.16	2,500	2,500
Additional counsel.....	Ch.313-39G.A.	2,500.00	-----	2,500.00	1,250	1,250
Return of paroled prisoners.....	Ch.313-39G.A.	200.00	-----	200.00	100	100
Publication of pardon notices.....	Ch.340-39G.A.	800.00	-----	800.00	400	400
State agents.....	Sec.65-cS.S.	-----	10,523.86	-----	12,500	12,500
Total.....		\$ 38,100.00	\$ 23,961.70	\$ 22,662.16	\$ 31,550	\$ 31,550

HISTORICAL DEPARTMENT

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921, to June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year
Salaries:						
Administrative Division—						
Curator	Ch. 340-39G. A.	\$ 6,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000	\$ 3,000
Asst. Curator and sec- retary	Ch. 340-39G. A.	2,800.00	1,400.00	1,400.00	2,400	2,400
General clerk	Ch. 340-39G. A.	2,600.00	1,300.00	1,300.00	1,300	1,300
Research assistant	Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Clerk and stenographer	Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Janitors and guards (6)	Ch. 340-39G. A.	14,400.00	7,200.00	7,200.00	7,200	7,200
Matron	Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Night watch	Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Elevator man	Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Invoice and property clerk	Ch. 340-39G. A.	4,800.00	2,400.00	2,400.00	2,400	2,400
Hospitality and cooperation					1,800	1,800
Traveling expense	Ch. 313-39G. A.	250.00	105.00	145.00	125	125
Making and acquiring mo- tion pictures of Iowa matters	Ch. 313-39G. A.	500.00	451.82	48.18	250	250
Mechanic caretaker (2)	Ch. 313-39G. A.	1,000.00	632.92	367.08	750	750
Office supplies, Archives	Ch. 313-39G. A.	500.00	425.00	75.00	250	250
Acquiring portraits former state or national officials	Ch. 313-39G. A.	1,500.00	900.00	600.00	750	750
Salaries:						
Library Division—						
Librarian	Ch. 340-39G. A.	3,400.00	1,700.00	1,700.00	2,400	2,400
Assistant librarian	Ch. 340-39G. A.	2,800.00	1,400.00	1,400.00	1,800	1,800
Museum Division—						
Director and taxidermist	Ch. 340-39G. A.	4,800.00	2,400.00	2,400.00	2,400	2,400
Assistant					1,800	1,800
Newspaper Division—						
Director	Ch. 340-39G. A.	2,800.00	1,400.00	1,400.00	2,400	2,400
Assistant					1,800	1,800
Public Archives Division—						
Superintendent	Ch. 340-39G. A.	4,800.00	2,400.00	2,400.00	2,400	2,400
Assistant superintendent	Ch. 340-39G. A.	2,800.00	1,400.00	1,400.00	1,800	1,800
File and research clerk	Ch. 340-39G. A.	2,800.00	1,400.00	1,400.00	1,400	1,400
War Division—						
Superintendent	Ch. 340-39G. A.	2,800.00	1,400.00	1,400.00	2,400	2,400
Assistant					1,400	1,400
Publication Division—						
Supt. and Secy. Board of Conservation	Ch. 340-39G. A.	4,800.00	2,400.00	2,400.00	2,400	2,400
Assistant					1,800	1,800
Total		\$ 78,150.00	\$ 39,714.74	\$ 38,435.00	\$ 52,425	\$ 52,425

Change of organization is suggested so that the seven activities of the institution may be separately understood and their functions considered for continuation as at present, for transfer or consolidation with other activities, or discontinuance as may be to the best public interest. Increase of expense is directly due to, but is not at all proportionate with, the increase and growth of the functions in each instance and is dictated by the public demand for expert and not amateur talent.

HOTEL INSPECTION.

Items For Which Money Is Used	Citation of authority	Appropriation to July 1, 1923 to June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Department receipts.....	S. S. 2514h-4	\$ 35,810.16			\$21,511.88	\$21,511.88
Hotel inspector.....	Sec. 2514-t		\$ 2,400.00			
Clerical services.....	Sec. 2514-t		1,320.00			
Deputies' salary and expenses	Sec. 2514-t		16,340.43			
Hotel inspectors expense.....	Sec. 2514-t		262.07			
Printing.....	Sec. 2514-t		1,101.83			
Miscellaneous.....	Sec. 2514-t		87.55			
Total.....		\$ 35,810.16	\$ 21,511.88		\$21,511.88	\$21,511.88

*This department has no appropriation; operated on fees collected.

IOWA LIBRARY COMMISSION.

*Secretary and director of library extension.....	\$2888e, Ch. 340	\$ 4,800.00	\$ 2,400.00	\$ 2,400.00	\$ 2,400	\$ 2,400
*Librarian traveling library.....	Sec. 18-39G. A.	3,000.00	11,800.00	1,800.00	1,800	1,800
*Reference librarian.....		3,000.00	11,800.00	1,800.00	1,800	1,800
*Library organizer.....		3,000.00	11,800.00	1,800.00	1,800	1,800
*Library cataloger.....		3,000.00	11,800.00	1,800.00	1,800	1,800
*Traveling library assistant.....					1,400	1,400
Clerk and stenographer.....		2,400.00	11,200.00	1,200.00	1,200	1,200
Stenographer.....		2,400.00	1,200.00	1,200.00	1,200	1,200
Record clerk.....		2,400.00	1,200.00	1,200.00	1,200	1,200
Apprentice.....		720.00	720.00	720.00	720	720
Shipping clerks (H.S. boys)		480.00	480.00	480.00	720	720
Two half time, full year.....					240	240
One half time, 8 months.....						
Support fund.....	\$2288h	24,000.00	11,956.59	12,000.00	12,000	12,000
Total.....		\$ 49,200.00	\$ 25,992.59	\$ 26,040.00	\$ 27,920	\$ 27,920

*Must be trained librarians.

†Increased by Order No. 25, Com. R. & R.

‡Increased by Order No. 24, Com. R. & R.

IOWA WEATHER AND CROP SERVICE.

Directors' salary.....	Ch. 178, Sec. 7-39G. A.	\$ 3,600.00	\$ 1,800.00	\$ 1,800.00	\$ 2,400	\$ 2,400
Statistician's salary.....	Ch. 178, Sec. 7-39G. A.	3,600.00	1,610.00	1,800.00	1,800	1,800
Stenographer and clerk salary	Ch. 178, Sec. 7-39G. A.	2,400.00	1,086.33	1,200.00	1,200	1,200
Clerk salary.....	Ch. 178, Sec. 7-39G. A.	2,400.00	1,086.33	1,200.00	1,200	1,200
Extra clerk hire.....	Ch. 178, Sec. 7-39G. A.	1,000.00	*977.56	800.00	2,000	2,000
Expenses.....	Ch. 178, Sec. 7-39G. A.	1,400.00	*986.88	700.00	1,400	1,400
Total.....		\$ 15,000.00	\$ 7,499.04	\$ 7,500.00	\$ 10,000	\$ 10,000

*Readjusted through transfer of unexpended general salary balances.

IOWA INDUSTRIAL COMMISSIONER.

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921, to June 30, 1922	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Appropriation.....	Sec. 2477-m-23	\$ 40,000.00		\$ 20,000.00		
Salaries.....			\$ 3,600.00		\$ 3,600	\$ 3,600
Commissioner.....			700.00		700	700
Deputy.....			2,000.00		2,000	2,000
Secretary.....			1,400.00		1,400	1,400
Chief clerk.....			1,200.00		1,200	1,200
Stenographer.....			1,080.00		1,080	1,080
Settlement clerk.....			1,167.10		1,080	1,080
Stenographer and clerk.....			1,140.00		1,080	1,080
Record clerk.....			1,200.00		1,200	1,200
Medical counsel.....			2,594.47		2,725	2,725
Miscellaneous expense.....						
Total.....		\$ 40,000.00	\$ 18,081.57	\$ 20,000.00	\$ 18,065	\$ 18,065

IOWA GEOLOGICAL SURVEY.

Directors's salary.....	C. 2502	\$ 900.00				
Assistant director's salary.....	C. 2502	2,700.00				
Other salaries.....	C. 2502	2,624.55				
Expenses.....	C. 2502	1,775.45				
Total.....		\$ 16,000.00	8,000.00	8,000.00	8,000	8,000
Secretary's salary.....	Ch. 340-39G. A.	3,200.00	1,600.00	1,600.00	1,600	1,600
Total.....		\$ 19,200.00	\$ 9,600.00	\$ 9,600.00	\$ 9,600	\$ 9,600

MINE INSPECTION.

Mine Inspectors (3).....	Ch. 340-39G. A.	\$ 16,200.00	\$ 8,100.00	\$ 8,100.00	\$ 8,100	\$ 8,100
Inspectors' expenses (3).....	S. 2483	4,500.00	2,250.00	2,250.00	3,000	3,000
Secretary and clerk.....	Ch. 340-39G. A.	4,000.00	2,000.00	2,000.00	2,000	2,000
Office and telephone.....						
Expense First and Second districts.....		\$00.00	300.00	300.00	300	300
Total.....		\$ 25,300.00	\$ 12,650.00	\$ 12,650.00	\$ 13,400	\$ 13,400

This Department is asking an increase in the amount appropriated for traveling expenses for the state mine inspectors for the following reasons:

The amount allowed each inspector for traveling expenses, (\$750.00 per annum), has not been changed since 1900, and this amount now is wholly inadequate to meet the requirements of the mine inspection service at the present time. Especially is this true with regard to the First and Second Inspection Districts owing to the inaccessibility of the mines in these districts to railroad facilities. This inadequacy is due to the increased rates in the railroad fares, to increased hotel expenses, and to increased livery charges. We are therefore asking that the amount of traveling expenses for the state mine inspectors be increased to at least \$1,000.00 per annum for each inspector, in order that they may keep the mine inspection service up to a point where it may be efficient and of the most value to the state.

MOTOR VEHICLE DEPARTMENT.

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921, to June 30, 1922	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium.	
					Fiscal year 1923-24	Fiscal year 1924-25
Superintendent.....		\$ 4,800.00	\$ 2,400.00	\$ 2,400.00	\$ 3,000	\$ 3,000
Chief clerk.....		3,000.00	1,800.00	1,800.00	1,800	1,800
Cashier.....		2,800.00	1,400.00	1,400.00	1,400	1,400
Auditor.....		3,000.00	1,500.00	1,500.00	1,500	1,500
Bookkeeper.....		3,000.00	1,800.00	1,800.00	1,800	1,800
Receipt clerks (2).....		5,840.00	2,920.00	2,920.00	2,920	2,920
Clerks (10).....		25,640.00	12,820.00	12,820.00	12,820	12,820
Transfer clerks (2).....		4,560.00	2,280.00	2,280.00	2,280	2,280
Refund clerk.....		2,400.00	1,200.00	1,200.00	1,200	1,200
Telephone and Information		2,400.00	1,200.00	1,200.00	1,200	1,200
Stenographers (3).....		6,720.00	3,360.00	3,360.00	3,360	3,360
Chief inspector.....		4,000.00	2,000.00	2,000.00	2,000	2,000
Inspectors (10).....		30,000.00	15,000.00	15,000.00	15,000	15,000
Supt. Index.....		3,600.00	1,800.00	1,800.00	1,800	1,800
Index clerks (5).....		11,280.00	5,640.00	5,640.00	5,640	5,640
Supply clerk.....		2,160.00	1,080.00	1,080.00	1,080	1,080
Janitor.....		2,400.00	1,200.00	1,200.00	1,200	1,200
Extra help.....				10,000.00	10,000	10,000
Total.....		\$118,000.00	\$ 59,300.00	\$ 69,300.00	\$ 70,000	\$ 70,000

PENSIONS.

Pensions, Spirit Lake Expedition.....	Ch. 348-35G. A.	\$ 735.33			
Pensions, Northern Border Brigade.....	Ch. 164-37G. A.	15,923.32		\$ 16,000	\$ 16,000
Pensions, widows, Spirit Lake and Northern Border Brigade.....	Ch. 225-39G. A.	3,592.67		3,600	3,600
Total.....		\$ 20,251.32		\$ 19,600	\$ 19,600

No specific appropriation is made for this purpose, and in consequence no entries are made in that column. The Spirit Lake Survivors are all dead, and no further pension payments will be made under that head. The Northern Border Brigade now have 27 survivors of the original 43.

The 39th General Assembly passed a law which continues the Spirit Lake Survivors and Northern Border Brigade pensions to the widows. We now have seventeen who are being paid.

PHARMACY COMMISSION.

Three members.....	Ch. 340-39G. A.	\$ 5,400.00	\$ 2,700.00	\$ 2,700.00	\$ 3,600	\$ 3,600
Secretary-treasurer.....	Ch. 340-39G. A.	4,200.00	2,100.00	2,100.00	2,100	2,100
Extra clerk.....	Ch. 340-39G. A.	1,000.00	498.00	564.00	500	500
Traveling and hotel expenses of secretary-treasurer.....	R. & R. Comm.	200.00	35.84	164.16	100	100
Total.....		\$ 10,800.00	\$ 5,271.84	\$ 5,528.16	\$ 6,300	\$ 6,300

*Per diem—90 days.

Note.—The additional 80 days per year for the next biennium is asked for the reason that the three commissioners find that they cannot do justice to their work in the limited 90 days now accorded them.

We would urgently request, however, that the commissioners be placed back upon the salary basis as it was previous to the 39th General Assembly.

SECRETARY OF STATE.

Items For Which Money Is Used	Citation of authority	Appropriation to July 1, 1921, June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium:	
					Fiscal year 1923-24	Fiscal year 1924-25
Secretary of state.....	Ch. 340-39G. A.	\$ 8,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000	\$ 4,000
Deputy.....	Ch. 340-39G. A.	4,800.00	2,400.00	2,400.00	2,400	2,400
Chief clerk.....	Ch. 340-39G. A.	4,000.00	2,000.00	2,000.00	2,000	2,000
*Chief land department.....	Ch. 340-39G. A.	3,200.00	1,600.00	1,600.00	1,600	1,600
Superintendent bond and in- vestment department.....	Ch. 340-39G. A.	6,000.00	3,000.00	3,000.00	3,000	3,000
Law clerk.....	Ch. 340-39G. A.	3,000.00	1,500.00	1,500.00	1,500	1,500
Code clerk.....	Ch. 340-39G. A.	3,000.00	1,500.00	1,500.00	1,500	1,500
Clerk.....	Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Clerk.....	Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Corporation clerk.....	Ch. 340-39G. A.	3,000.00	1,500.00	1,500.00	1,500	1,500
Stenographer.....	Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Stenographer.....	Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Janitor.....	Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Per diem and expenses spe- cial examiner, bond and in- vestment department.....	Ch. 189-39G. A.	2,500.00	250.00	2,250.00	1,250	1,250
Other expenses, not otherwise provided for, incurred in carrying into effect the provisions of the "Blue Sky" law.....						
		\$ 49,500.00	\$ 23,750.00	\$ 25,750.00	\$ 24,750	\$ 24,750

*I recommend that the position of Clerk of the Land Office, as such, and the salary paid such position, be abolished and the duties of the position be assigned to another clerk without additional compensation.

I recommend that the three members of the executive council, aside from the Governor who now receives such compensation, be allowed the sum of \$1,200.00 annually each, for services as members of the executive council.

STATE BOARD OF EDUCATION.

Finance committee (3).....	S. 2682-1 Ch. 340-39G. A.	\$ 21,600.00	\$ 10,800.00	\$ 10,800.00	\$ 10,800	\$ 10,800
Members, clerks and exp.....	S. 2682-1 Ch. 340-Sec. 14-39 G. A.		16,820.64		20,000	20,000
Telephone, telegraph, etc.....	Ch. 313-Sec. 8-39 G. A.	500.00	168.87	338.13	500	500
Total.....		\$ 22,100.00	\$ 27,784.51	\$ 11,138.13	\$ 31,800	\$ 31,300

STATE BOARD FOR VOCATIONAL EDUCATION—REHABILITATION SERVICE.

Rehabilitation—General ap- propriation.....	Ch. 14-7-39G. A.	\$ 45,672.90		\$ 22,836.45	\$ 22,836.45	\$ 22,836.45
Salaries of supervisors, di- rectors and agents.....			\$ 1,788.34			
Salaries of clerks and sten- ographers.....			600.00			
Travel.....			428.31			
Printing.....			66.30			
Supplies.....			16.66			
Rehabilitation service.....			1,134.48			
Equipment fund.....	Ch. 14-8-39G. A.	315.30	92.25	223.05	250.00	250.00
Total.....		\$ 45,988.20	\$ 4,120.33	\$ 23,059.50	\$ 23,086.45	\$ 23,086.45

STATE BOARD FOR VOCATIONAL EDUCATION.

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921, to June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Administration	Ch. 290-10-37 Ch. 296-2-39	\$ 20,000.00				
Director and supervisor vocational agriculture			\$ *900.00	\$ 1,800.00	\$ 1,800	\$ 1,800
Assistant supervisor vocational agriculture			1,350.00	1,350.00	1,350	1,350
Supervisor trade and industrial education			1,500.00	1,500.00	1,500	1,500
Supervisor vocational home-making			1,207.50	1,250.00	1,250	1,250
Advisory committee			59.33	300.00	300	300
Clerical office help			582.91	600.00	600	600
Traveling expense			1,254.71	1,500.00	1,500	1,500
Printing, stationery, etc.			391.18	400.00	400	400
Office furniture			None	300.00	300	300
Contingent			None	1,000.00	1,000	1,000
			7,245.63	10,000.00	10,000	10,000
Reimbursement	Ch. 290-52-37 Ch. 337-5-38 Ch. 296-1-39	110,000.00	48,787.52	60,000.00	60,000	60,000
		\$130,000.00	\$ 56,033.15	\$ 70,000.00	\$ 70,000	\$ 70,000

*Six months.

STATE FIRE MARSHAL.

Salaries:							
Fire commissioner	\$5,400.00	340-32-39G.A.					
Deputy	4,000.00	340-32-39G.A.					
2 assistants	7,200.00	340-32-39G.A.					
**Stenographer and clerk	3,000.00	340-32-39G.A.	\$19,600.00	\$9,668.55	\$ 9,800.00	\$10,100	\$10,100
General Expense:							
Fees and mileage	\$3,169.60	2468-p, C.S. 1913,					
Traveling expense	3,330.12	& 209-29-39G.A.	13,000.00	6,499.72	6,500.00	7,500	7,500
Contingent:							
Extra clerk and statis.	\$ 314.00	314-3-39G.A.	4,000.00	678.92			
Miscellaneous	364.92				3,321.08	1,000	1,000
Statistician and clerk							
			\$36,600.00	\$16,847.19	\$19,621.08	\$18,600	\$18,600

Since July 1, 1921, the salaries have been paid out of the general revenues and the biennial appropriation of \$27,000.00 was reduced to \$13,000.00 for the biennium, while the "contingent" fund was increased from \$2,000.00 to \$4,000.00 for the biennium.

Owing to the increasing demands upon the department both for inspections and investigations, I would suggest that the "contingent" fund be reduced \$2,000.00 for the period and this \$2,000.00 be added to the "general expense" fund making it \$15,000.00 for the period.

*There was a vacancy for a short time in the position of one assistant deputy fire marshal and the minimum salary was paid the new employee, thus leaving \$131.45 of the full salary allotment unused and to be charged off.

**The work of the office having materially increased and because of her years of experience, I would urge that the salary of my stenographer and clerk be increased from \$1,500.00 per annum to \$1,800.00 per annum.

We are also in need of a statistician and clerk for which provision should be made.

The mileage of ten (10) cents per mile, one way, for township clerks is entirely too small. The law makes it the duty of the township clerk to report all fires that occur in his township, for which he is allowed 50 cents for making the report and mileage at the rate of 10 cents per mile for each mile traveled to the place of the fire. The mileage should be ten (10) cents each way, as it is impossible to hire a conveyance for five cents per mile.

STATE OIL INSPECTION DEPARTMENT.

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921, to June 30, 1922	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Chief inspector's salary.....	Ch. 340, S. 31-39 G.A.	\$ 4,400.00	\$ 2,200.00	\$ 2,200.00	\$ 2,500	\$ 2,500
Inspectors' salaries (13 @ \$1,500.00 per year).....	Ch. 340, S. 31-39 G.A.	39,000.00	19,500.00	19,500.00	19,500	19,500
Deputy inspectors' salaries (8 @ \$1,200.00 per year).....	Ch. 340, S. 31-39 G.A.	19,200.00	9,600.00	9,600.00	9,600	9,600
One deputy inspector's salary @ \$1,500.00.....	Ch. 340, S. 31-39 G.A.	2,000.00	1,500.00	1,500.00	1,500	1,500
Chief clerk's salary.....	Ch. 340, S. 31-39 G.A.	2,600.00	1,500.00	1,500.00	1,800	1,800
Stenographer's salary.....	R. & R. No. 10	1,800.00	1,200.00	1,200.00	1,200	1,200
Total salaries.....		\$ 71,000.00	\$ 35,490.30	\$ 35,500.00	\$ 35,100	\$ 35,100
Inspectors' and deputies expenses.....	Ch. 209, S. 35-39 G.A.	\$ 40,000.00	\$ 14,334.51	\$ 20,000.00	\$ 20,000	\$ 20,000
Total salaries and exp....		\$111,000.00	\$ 49,824.81	\$ 55,500.00	\$ 55,100	\$ 55,100

Note.—See Retrenchment and Reform Committee order No. 10, under date of June 8, 1921, reinstating Stenographer at \$1,200.00 per annum, subject to the Chief Clerk's acceptance of \$1,500.00 salary in lieu of the \$1,800.00 as provided in Chapter 340, Section 31, line 8 of the Acts of the 39th General Assembly.

STATE VETERINARY DEPARTMENT.

State veterinarian	Ch. 287-39G A.	\$ 6,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000	\$ 3,000
Secretary	S. 2538	2,400.00	1,100.00	1,200.00	1,200	1,200
Clerk	S. 2538	2,400.00	1,118.35	1,200.00	1,200	1,200
Stenographer	Order No. 49R. & R. 39G A.			1,200.00	1,200	1,200
Total.....		\$ 10,800.00	\$ 5,218.35	\$ 6,600.00	\$ 6,600	\$ 6,600

Clerk's and Stenographer's salaries on sliding scale of \$960.00 to \$1,200.00.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

Salary of superintendent....	Ch. 340-39G A.	\$ 8,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000	\$ 4,000
Salary of deputy.....	Ch. 340-39G A.	5,400.00	2,700.00	2,700.00	2,700	2,700
Inspectors and chief clerk....	Ch. 340-39G A.	19,800.00	9,900.00	9,900.00	9,900	9,900
Stenographers	Ch. 340-39G A.	9,600.00	4,645.00	4,800.00	4,800	4,800
Extra clerks	Ch. 313-39G A.	3,000.00	1,244.75	1,755.25	1,500	1,500
Janitor	Ch. 340-39G A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Traveling expenses			4,238.78			
Normal institutes	S. 2738	9,900.00	4,950.00	4,950.00	4,950	4,950
Normal training state aid....	S. 2634-b-8	300,000.00	137,520.81	150,000.00	150,000	150,000
Consolidated schools	S. 2974-b	300,000.00	150,000.00	150,000.00	150,000	150,000
Educational board of examiners	S. 2634-a					
Teachers' placement bureau....	S. 2627-e	5,000.00	1,879.28	2,500.00	2,500	2,500
Standard schools	Ch. 364-39G A.	200,000.00	95,582.00	100,000.00	100,000	100,000
Mining camp schools.....	Ch. 296-39G A.	100,000.00	50,000.00	50,000.00	50,000	50,000
Total.....		\$668,100.00	\$486,994.33	\$481,805.25	\$ 481,550	\$ 481,550

STATE HIGHWAY COMMISSION.

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921, to June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Comm'n's salaries and exp.	Ch. 237-38G.A. Sec. 45		\$ 2,732.47		\$ 2,500	\$ 2,500
Comm'n's salaries and exp.	Sec. 42		1,904.68		2,000	2,000
Executive department	Sec. 45		5,870.01		6,000	6,000
Executive department	Sec. 42		5,307.23		6,600	6,600
Dept. purchases and accounts	Sec. 45		17,048.05		15,000	15,000
Dept. purchases and accounts	Sec. 42		4,271.31		4,000	4,000
Accounting division	Sec. 45		1,610.97		3,000	3,000
Accounting division	Sec. 42		26,241.77		25,000	25,000
Dept. road administration	Sec. 45		3,151.14		3,400	3,400
Dept. road administration	Sec. 42		8,050.15		8,000	8,000
Traffic investigations	Sec. 45		214.82			
Traffic investigations	Sec. 42				25,000	
Dept. of road survey and design	Sec. 45		3,454.37		2,900	2,900
Dept. of road survey and design	Sec. 42		127,380.51		87,000	85,000
Drafting division	Sec. 45		5,582.05		5,000	4,000
Drafting division	Sec. 42		12,649.52		12,000	10,000
Dept. road construction	Sec. 45		161.06		2,000	2,000
Dept. road construction	Sec. 42		13,401.23		17,000	17,000
Machinery and equipment	Sec. 45		39,610.91		40,000	40,000
Machinery and equipment	Sec. 42					
Building and grounds	Sec. 45		16,212.26		12,000	2,000
Building and grounds	Sec. 42					
Dept. road maintenance	Sec. 45		7,912.71		11,000	11,000
Dept. road maintenance	Sec. 42					
Bridge department	Sec. 45		18,271.12		20,000	18,000
Bridge department	Sec. 42		29,174.64		27,000	25,000
Drainage division	Sec. 45		4,946.46		3,000	3,000
Drainage division	Sec. 42					
Dept. materials and tests	Sec. 45		4,152.01		5,000	5,000
Dept. materials and tests	Sec. 42		70,963.10		70,000	70,000
District Office No. 1	Sec. 45		5,470.34		5,000	5,000
District Office No. 1	Sec. 42		16,113.48		12,000	12,000
District Office No. 2	Sec. 45		6,635.68		5,000	5,000
District Office No. 2	Sec. 42		13,138.06		10,000	10,000
District Office No. 3	Sec. 45		5,608.76		5,000	5,000
District Office No. 3	Sec. 42		14,848.21		13,000	12,000
District Office No. 4	Sec. 45		5,156.42		5,000	5,000
District Office No. 4	Sec. 42		14,360.06		12,000	12,000
District Office No. 5	Sec. 45		3,315.63		4,000	4,000
District Office No. 5	Sec. 42		15,658.36		12,000	12,000
District Office No. 6	Sec. 45		7,065.00		6,000	6,000
District Office No. 6	Sec. 42		16,988.96		13,000	13,000
District Office No. 7	Sec. 45		5,789.48		5,000	5,000
District Office No. 7	Sec. 42		16,196.80		13,000	12,000
District Office No. 8	Sec. 45		6,871.49		5,000	5,000
District Office No. 8	Sec. 42		10,251.88		10,000	10,000
District Office No. 9	Sec. 45		5,577.29		5,000	5,000
District Office No. 9	Sec. 42		8,742.08		10,000	10,000
Blanks, circular letters, etc.	Sec. 45		4,816.88		5,000	5,000
Blanks, circular letters, etc.	Sec. 42		5,752.89		5,500	5,500
Maps	Sec. 45		149.40		200	200
Maps	Sec. 42					
Road guides	Sec. 45		14.20		1,500	1,500
Road guides	Sec. 42					
Photos, slides, cuts	Sec. 45		603.40		800	800
Photos, slides, cuts	Sec. 42					
Printing paper, bulletins and specifications	Sec. 45		5,383.07		5,000	5,000
Printing paper, bulletins and specifications	Sec. 42		260.06		300	300
Express	Sec. 45		3,396.51		3,000	3,000
Express	Sec. 42		160.51		500	500
Freight and drayage	Sec. 45		2,181.06		2,000	2,000
Freight and drayage	Sec. 42		69.24		200	200
Postage	Sec. 45		7,019.46		7,000	7,000
Postage	Sec. 42		65.95		100	100
Telegraph	Sec. 45		378.86		500	500
Telegraph	Sec. 42		16.12		100	100

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921 to June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Telephone	Sec. 45		2,177.88		2,000	2,000
Telephone	Sec. 42		128.99		300	300
Bridge department, supplies	Sec. 45		21.82		200	200
Bridge department, supplies	Sec. 42					
Drafting division, supplies	Sec. 45		6,489.98		6,000	6,000
Drafting division, supplies	Sec. 42		792.50		500	500
Drainage division, supplies	Sec. 45		97.13		100	100
Drainage division, supplies	Sec. 42					
Machinery and equipment division, autos	Sec. 45		1,675.00		3,000	3,000
Machinery and equipment division, autos	Sec. 42					
Machinery and equipment division, supplies	Sec. 45		22,801.41		23,000	23,000
Machinery and equipment division, supplies	Sec. 42		2.06			
Materials and tests dept., supplies and lens testing	Sec. 45		659.72		600	600
Materials and tests dept., supplies and lens testing	Sec. 42		5,316.24		5,000	5,000
Road design dept., supplies	Sec. 45		9,134.42		8,000	8,000
Road design dept., supplies	Sec. 42		1,472.19		2,000	2,000
State fair exhibit	Sec. 45		257.64		500	500
State fair exhibit	Sec. 42					
Furniture and fixtures	Sec. 45		3,571.66		3,000	3,000
Furniture and fixtures	Sec. 42					
Stationery and office supplies	Sec. 45		7,691.02		6,000	6,000
Stationery and office supplies	Sec. 42		55.65		200	200
Motor vehicle supplies and repairs—field	Sec. 45		9,301.60		9,000	9,000
Motor vehicle supplies and repairs—field	Sec. 42		3,404.88		3,500	3,500
Motor vehicle supplies and repairs—shop	Sec. 45		24,641.53		24,000	24,000
Motor vehicle supplies and repairs—shop	Sec. 42					
Motor vehicle transportation, misc	Sec. 45		6,000.00		6,000	6,000
Motor vehicle transportation, misc	Sec. 42					
Road maintenance dept., supplies	Sec. 45				100	100
Road maintenance dept., supplies	Sec. 42					
Total	Sec. 45		\$300,854.15		\$ 292,300	\$ 279,300
Less transfer from Federal aid engineering fund account blue printing			\$ 60,003.30			
Net expenditure	Sec. 45		\$240,850.85			
Total	Sec. 42		\$443,139.31		\$ 408,800	\$ 372,800
Plus transfer to maintenance fund account blue printing			\$ 60,003.30			
Total expenditure	Sec. 42		\$503,142.61			
Grand total	Sec. 45 & 42		\$743,993.46		\$ 699,100	\$ 652,100
Less miscellaneous funds			\$ 67,809.70		\$ 50,000	\$ 40,000
Net total	Sec. 45 & 42		\$676,183.76		\$ 649,100	\$ 612,100

The estimates herein presented for the fiscal years 1923-24 and 1924-25 are based on estimated expenditures according to the present highway laws. Any amendments or changes in the present highway laws, increasing or decreasing the volume of engineering work which must be handled by the State Highway Commission, will result in a corresponding increase or decrease in the necessary expenditures of the Commission.

STATE HIGHWAY COMMISSION—Continued.

APPROPRIATIONS.—(a) General Maintenance Fund. The support fund of the Highway Commission as provided in Section 45, Chapter 237, Acts of the 38th General Assembly, consists of $\frac{2}{4}$ per cent of the licenses collected for registering motor vehicles with the provision that the unexpended balance remaining at the end of the biennial period shall be placed to the credit of the Primary Road Fund and shall be prorated among the several counties as are other moneys accruing to said fund.

The unexpended balance in the Highway Commission Maintenance Fund turned back to the Primary Road Fund in 1921 was \$33,503.78.

Receipts of highway Commission Maintenance Fund ($\frac{2}{4}$ per cent Motor Vehicle License fees) for the past four years have been:

1918-1919	\$173,105.69
1919-1920	189,909.26
1920-1921	226,851.67
1921-1922	145,903.46

(b) Federal Aid Engineering Fund. Section 42, Chapter 237, Acts of the 38th General Assembly, charges the State Highway Commission with carrying out the provisions of said act and provides for defraying the expenses of such services, as follows:

The Treasurer of State is directed to set aside from the Motor Vehicle License Fee collections, such sum as the Highway Commission shall estimate is needed to defray the cost of engineering on federal aid road projects during the ensuing year. The sum thus set aside shall be known as the Federal Aid Engineering Fund.

The Highway Commission shall pay the expense of such Federal Aid Engineering from its regular Maintenance Fund, but at the end of each month an itemized statement of such expenses shall be filed with the Auditor of State who shall draw a warrant transferring the amount of said statement from the Federal Aid Engineering Fund to the general Maintenance Fund of the Highway Commission.

SUMMARY STATEMENT RECEIPTS AND DISBURSEMENTS, 1920-1921.

Maintenance Fund:

Debits	
Unexpended Appropriation July 1, 1920.....	\$ 78,701.09
Appropriation 1920-21.....	226,851.67
Refunds Miscellaneous.....	44,883.39
Refunds Fed. Aid Engr.	478,942.02
	<u>\$829,378.17</u>

Credits	
Expended 1920-21.....	\$655,703.25
Unexpended balance June 30, 1921.....	173,674.86
	<u>\$829,378.17</u>

Federal Aid Engineering Fund:

Debits	
Unexpended Appropriation July 1, 1920.....	\$318,511.17
Appropriated 1920-1921.....	450,000.00
	<u>\$768,511.17</u>

Credits	
Transferred to Maintenance Fund.....	\$478,942.02
Unexpended balance June 30, 1921.....	289,569.15
	<u>\$768,511.17</u>

SUMMARY STATEMENT RECEIPTS AND DISBURSEMENTS, 1921-1922.

Maintenance Fund:

Debits	
Unexpended Appropriation July 1, 1921.....	\$173,674.89
Appropriation 1921-1922.....	145,903.46
Refunds Miscellaneous.....	67,809.70
Refunds Fed. Aid Engr.	503,142.61
	<u>\$890,530.66</u>

Credits	
Expended 1921-1922.....	\$743,993.46
Turned back to Primary Road Fund Dec. 31, 1921.....	33,503.78
Unexpended balance June 30, 1922.....	113,033.42
	<u>\$890,530.66</u>

Federal Aid Engineering Fund:

Debits	
Unexpended balance July 1, 1921.....	\$289,569.15
Appropriated 1921-1922.....	425,000.00
	<u>\$714,569.15</u>

Credits	
Transferred to Maintenance Fund.....	\$503,142.61
Unexpended balance June 30, 1922.....	211,426.54
	<u>\$714,569.15</u>

STATE LIBRARY.
State General Library.

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921, to June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 25-26
State librarian.....	Ch. 340-39G. A.	\$ 6,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000	\$ 3,000
Assistant librarian.....	Ch. 340-39G. A.	4,000.00	2,000.00	2,000.00	2,000	2,000
Assistant librarian.....	Ch. 340-39G. A.	3,400.00	1,700.00	1,700.00	1,700	1,700
Assistant librarian.....	Ch. 340-39G. A.	2,800.00	1,400.00	1,400.00	1,400	1,400
Cataloger.....	Ch. 340-39G. A.	3,800.00	1,900.00	1,900.00	1,900	1,900
Accountant and Bookkeeper.....	Ch. 340-39G. A.	3,200.00	1,600.00	1,600.00	1,600	1,600
Two assistant librarians.....	Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Clerk.....	Ch. 340-39G. A.	3,000.00	1,500.00	1,500.00	1,500	1,500
Janitor.....	Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Support fund.....	S. 2881-e	12,000.00	6,000.00	6,000.00	6,000	6,000
Total.....		\$ 48,000.00	\$ 21,500.00	\$ 21,500.00	\$ 21,500	\$ 21,500

State Law Library.

Law librarian.....	Ch. 340-39G. A.	\$ 6,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000	\$ 3,000
Assistant law librarian.....	Ch. 340-39G. A.	3,600.00	1,800.00	1,800.00	1,800	1,800
Assistant librarian.....	Ch. 340-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Research assistant.....	Ch. 340-39G. A.	4,000.00	2,000.00	2,000.00	2,000	2,000
Two janitors.....	Ch. 340-39G. A.	4,800.00	2,400.00	2,400.00	2,400	2,400
Support fund.....	S. 2881-e	12,000.00	6,000.00	6,000.00	6,000	6,000
Total.....		\$ 32,800.00	\$ 16,400.00	\$ 16,400.00	\$ 16,400	\$ 16,400

State Library Legislative Reference Bureau.

Reference librarian.....	Ch. 340-39G. A.	\$ 3,300.00	\$ 1,650.00	\$ 1,650.00	\$ 1,650	\$ 1,650
Assistant librarian.....	Ch. 340-39G. A.	1,200.00	600.00	600.00	600	600
Support fund.....	Ch. 313-39G. A.	5,000.00	3,753.67	1,246.33	2,500	2,500
Total.....		\$ 9,500.00	\$ 6,003.67	\$ 3,496.33	\$ 4,750	\$ 4,750

State Library Medical Department.

Medical librarian.....	Ch. 340-39G. A.	\$ 4,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000	\$ 2,000
Support fund.....	Ch. 387-38G. A.	4,000.00	2,000.00	2,000.00	2,000	2,000
Total.....		\$ 8,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000	\$ 4,000

*This item includes additional compensation granted by the Retrenchment and Reform Committee.

STATE PRINTING BOARD.
(This board began operations June 1, 1921.)

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921, to June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Superintendent	Sec. 33, Ch. 286-39	-----	\$ 3,400.00	-----	\$ 3,600	\$ 3,600
Assistant superintendent	Sec. 33, Ch. 286-39	-----	2,400.00	-----	2,400	2,400
Assistant superintendent	Sec. 33, Ch. 286-39	-----	1,946.17	-----	2,000	2,000
Clerk	Sec. 33, Ch. 286-39	-----	1,170.00	-----	1,200	1,200
Clerk	Sec. 33, Ch. 286-39	-----	-----	-----	1,200	1,200
Clerk duplicating room	Sec. 33, Ch. 286-39	-----	1,200.00	-----	1,200	1,200
Clerk shipping department	Sec. 33, Ch. 286-39	-----	1,568.70	-----	1,600	1,600
Assistant shipping department	Sec. 33, Ch. 286-39	-----	1,119.35	-----	1,200	1,200
Per diem (appointive members of board) and traveling ex- penses	Sec. 33, Ch. 286-39	-----	1,346.94	-----	1,500	1,500
Extra account legislative ses- sion	Sec. 33, Ch. 286-39	-----	-----	-----	-----	1,800
Total	-----	-----	\$ 14,151.16	-----	\$ 15,900	\$ 17,700

See accompanying printing statement.

Total printing.....	\$335,925.09
Special Funds:	
State University.....	\$ 37,271.72
Iowa State College.....	62,358.33
Iowa State Teachers College.....	4,188.61
College for the Blind.....	278.60
Bacteriological Laboratory.....	597.70
Board of Chiropractic Examiners.....	418.45
Board of Dental Examiners.....	189.69
Board of Engineering Examiners.....	89.35
Board of Health—	
Antitoxin.....	48.80
Board of Medical Examiners.....	341.70
Embalmers.....	327.18
Hotel Inspection.....	1,029.83
Housing.....	257.57
Nurses.....	284.76
Optometry Examiners.....	65.68
Vital Statistics.....	6,715.67
Board of Conservation.....	34.85
Board of Podiatry.....	82.37
Beef Cattle Producers Association.....	176.28
Bureau Venereal Disease Control.....	1,023.85
Corn & Small Grain Growers Association.....	631.31
Dairy Association.....	113.03
Fish & Game.....	5,338.61
Highway Commission.....	17,301.94
Industrial Rehabilitation.....	90.12
Library Commission.....	3,075.88
Motor Vehicle.....	18,491.57
Psychopathic Hospital.....	989.88
Vocational Education.....	58.65
War Roster Commission.....	149.05
Total printing chargeable to General Fund....	\$183,904.56

*Includes \$152,020.53 ultimately chargeable to special appropriations listed elsewhere. Also \$12,750.97 for Supreme Court Reports, \$4,170.14 for Supplement to the Compiled Code and \$3,936.98 for Session Laws, practically all of which is covered back into the treasury by sale of the books through office of Secretary of State.

**Includes cost of paper stock consumed in work paid for within the year, regardless of when such stock was bought and paid for in the first instance; likewise does not include paper stock which may have been bought and paid for within the year and not yet consumed in work. Includes also \$204.07 paid for advertising for bids under Sec. 12, Chapter 286, 39th General Assembly. Includes

also approximately \$60,000 which normally would have appeared in statement for preceding year, but which was thrown into this statement by reason of the inability of the State to supply its usual requirements during the former period within the then fixed maximum statutory rates. The total is also affected by war prices paid for stock bought earlier and handed down for use within the year covered by these figures.

A difficulty arises in estimating printing requirements for the future from the fact that the General Assembly is an unknown quantity. For years each succeeding session of the assembly, by creating new bureaus, boards, or commissions, or by devising new duties for old ones, has increased state governmental activities. Activities mean printing. A single measure which will be before the 40th General Assembly, if enacted, will mean an increase of \$20,000 a year in the state's printing bill. These increases can, to some extent, be off-set by economies. On the whole, the average annual charge against the general fund for printing during the two year period beginning July 1, 1923, should not exceed \$130,000. and may, conceivably, be considerably less.

SUPREME COURT.

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921, to June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Seven judges -----	Sec. 9, Ch. 340-39 G. A.	\$ 84,000.00	\$ 42,000.00	\$ 42,000.00	\$ 42,000	\$ 42,000
Balliff's salary -----	Sec. 9, Ch. 340-39 G. A.	2,640.00	1,320.00	1,320.00	1,800	1,800
Judges' stenographers -----	Sec. 9, Ch. 340-39 G. A.	21,000.00	10,500.00	10,500.00	12,600	12,600
Contingent fund -----	Sec. 24, Ch. 313-39 G. A.	2,000.00	850.06 488.25	661.70	1,000	1,000
Total -----		\$109,640.00	\$ 55,158.30	\$ 54,481.70	\$ 57,400	\$ 57,400

Many of the law books used by the judges are bound in sheep and more or less out of repair. When the binding reaches a certain stage of decay, the books become almost unusable and, from time to time, such volumes have been rebound and put in good condition for use. The number of volumes in the Consultation Room and the offices of the judges that will require rebinding within the near future, probably during the ensuing biennial period, approximate eight hundred. A new Digest of the Iowa Reports is being published by the Callaghan Company, seven sets of which have been ordered at a cost of \$15.00 per volume. The set will be completed in six volumes. The purchase of other law books and the payment of subscriptions to current publications require several hundred dollars annually. A contingent fund of \$2,000.00 has heretofore been sufficient for the use of this department and a like amount should be appropriated to defray the expenses thereof during the ensuing biennial period.

SUPREME COURT REPORTER.

Salaries:						
Reporter -----	Ch. 340-39G. A.	\$ 8,000.00	\$ 1,583.33	\$ 4,000.00	\$ 4,000	\$ 4,000
Deputy -----	Ch. 340-39G. A.	4,800.00	2,373.42	2,400.00	2,400	2,400
Law clerk -----	Ch. 340-39G. A.	8,000.00	1,500.00	1,500.00	1,500	1,500
Proof reader -----	Ch. 340-39G. A.	3,000.00	1,500.00	1,500.00	1,500	1,500
Extra help -----	Ch. 340-39G. A.	1,200.00	600.00	600.00	1,200	1,200
Proof reader -----	Order Com.					
	R. & R.		\$12.50			
Copy holder -----	Order Com.					
	R. & R.		140.00			
Salaries (session laws):	Ch. 5-37G. A.	1,200.00		1,200.00		1,200
Proof reader -----	Ch. 5-37G. A.		\$24.50			
Proof reader -----	Ch. 5-37G. A.		\$12.50			
Total -----		\$ 21,200.00	\$ 8,596.25	\$ 11,200.00	\$ 10,000	\$ 11,800

TREASURER OF STATE.

Items For Which Money Is Used	Citation of	Appropriation July 1, 1921 to June 30, 1922	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1922-24	Fiscal year 1924-25
Treasurer of state.....	Ch. 340-5-39G. A.	\$ 8,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000	4,000
Deputy treasurer	Ch. 340-5-39G. A.	5,400.00	2,700.00	2,700.00	2,700	2,700
Total.....		\$ 13,400.00	\$ 6,700.00	\$ 6,700.00	\$ 6,700	6,700
General Revenue Department:						
Cashier	Ch. 340-5-39G. A.	\$ 4,200.00	\$ 2,100.00	\$ 2,100.00	\$ 2,100	2,100
Bookkeeper	Ch. 340-5-39G. A.	3,000.00	1,500.00	1,500.00		
Collateral clerk	Ch. 340-5-39G. A.	3,000.00	1,500.00	1,500.00		
General clerk	Ch. 340-5-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Special clerk	Ch. 340-5-39G. A.	2,400.00	1,200.00	1,200.00		
One stenographer					1,500	1,500
One stenographer	Ch. 340-5-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Watchman and messenger	Ch. 340-5-39G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Use of auto on messenger service	Ch. 340-5-39G. A.	240.00	120.00	120.00	120	120
Accountant					2,400	2,400
Assistant accountant and bond clerk					2,000	2,000
Chief clerk					1,800	1,800
Warrant clerk					1,400	1,400
Assistant warrant clerk					1,200	1,200
Automobile clerk					1,820	1,500
Contingent	Ch. 340-5-39G. A.	1,200.00	600.00	600.00	1,000	1,000
Total.....		\$ 21,240.00	\$ 10,620.00	\$ 10,620.00	\$ 18,440	18,620
Inheritance Tax Department:						
Chief examiner	Ch. 340-5-39G. A.	\$ 4,200.00	\$ 2,100.00	\$ 2,100.00	\$ 2,400	2,400
Assistant examiner					*2,000	2,100
Four traveling examiners and traveling expenses	Ch. 340-5-39G. A.	14,400.00	7,200.00	7,200.00	7,680	8,400
Chief clerk	Ch. 340-5-39G. A.	3,000.00	1,500.00	1,500.00	1,500	1,500
File clerk	Ch. 340-5-39G. A.	3,000.00	1,500.00	1,500.00	1,500	1,500
General clerk					1,200	1,200
Two stenographers					*3,000	3,000
Three stenographers	Ch. 340-5-39G. A.	7,200.00	3,600.00	3,600.00	3,600	3,000
Total.....		\$ 31,800.00	\$ 15,900.00	\$ 15,900.00	\$ 22,880	23,700
Cigarette Revenue Department:						
Assistant treasurer	Ch. 203-15-39G. A.	\$ 2,400.00	\$ 2,400.00		\$ 2,400	2,400
Chief clerk	Ch. 203-15-39G. A.	1,500.00	*1,437.50		1,500	1,500
Three inspectors	Ch. 203-15-39G. A.	5,400.00	14,919.25		112,000	12,000
					Inspectors as needed. See re- quest for budget below.	
Order clerk	Ch. 203-15-39G. A.	1,500.00	*1,300.00		1,500	1,500
Clerk	Ch. 203-15-39G. A.	1,200.00	1,200.00		1,200	1,200
Two stenographers	Ch. 203-15-39G. A.	2,400.00	2,400.00		2,400	2,400
Shipping clerk	Ch. 203-15-39G. A.	1,200.00	1,200.00		1,200	1,200
Extra help	Ch. 203-15-39G. A.		610.00		\$	\$
Total.....		\$ 15,000.00	\$ 15,466.75	\$ 15,600.00	\$ 22,200	22,900

*Since the passage of the direct inheritance tax law in March, 1921 and until November 1, 1922, the total number of new estates reported and being handled by this department was 7135. Under the collateral inheritance law only there was reported in the corresponding length of time immediately preceding 3039 estates. The new law has therefore increased the number of estates reported 136 per cent.

Delinquencies under the new direct inheritance law did not come into effect until September 21, 1922, and with the impelling power of penalties attaching

and the forcing of settlement of matured estates, the work will be even greater than the above percentage of 136 per cent would indicate.

Additional help is imperative, for this is a field of revenue production—the value of which to the state is entirely dependent upon energy and thorough work of those employed in the department.

The annual budget above outlined is but 3.3 per cent of the collections of this department during the last fiscal year.

Provision should likewise be made for the traveling expenses of examiners while on duty and absent from their residence.

**Salary increased by Executive Council from \$1,200.00 to \$1,500.00.

†Loss of time in change of personnel of road inspectors.

‡This department has been operating with only three road inspectors, and it is now apparent that more men are needed to take care of the enforcement and prosecution of the Cigarette Law as well as to employ some who are better qualified in prosecution work than we have used.

At times we could use more men than at other times, and one or two men speaking foreign languages could be used to good advantage.

I suggest that a budget for road inspectors' salaries for the Cigarette Revenue Department be considered and that the number of road inspectors and their salaries be fixed by the State Treasurer.

Recommended road inspector salary budget, \$12,000.00, and in addition all actual and necessary traveling and hotel expenses.

§Provided in Ch. 203—15 G. A.

OTHER GENERAL ACCOUNTS.

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921, to June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Agricultural societies -----	Ch. 264-39G. A.	% basis	\$158,910.88	-----	\$ 150,000	\$ 150,000
Board of accountancy -----	S. S. 2920-b	Fees	-----	-----	-----	-----
Board of Chiropractic examiners -----	Ch. 7-39G. A.	Fees	8,168.50	-----	-----	-----
Board of dental examiners -----	S. 2600-g	Fees	3,599.44	-----	-----	-----
Board of engineering examiners -----	Ch. 392-39G. A.	Fees	3,148.31	-----	-----	-----
Board of mine examiners -----	Ch. 340-39G. A.	-----	2,602.14	-----	2,700	2,700
Costs in state cases -----	S. 170-j	-----	7,706.89	-----	-----	-----
Commission on tax revision -----	Ch. 411-39G. A.	-----	2,775.82	-----	-----	-----
Department G. A. R. -----	Ch. 178-39G. A.	\$ 1,500.00	750.00	\$ 750.00	750	750
Grand Army of the Republic Encampment (National) -----	Ch. 305-39G. A.	20,000.00	10.00	*19,990.00	-----	-----
Great Lakes and St. Lawrence -----	Ch. 339-39G. A.	10,000.00	4,731.66	5,000.00	-----	-----
General assembly -----	-----	3,000.00	-----	-----	-----	250,000
Farmers' Institutes -----	S. 1675	14,850.00	3,843.30	7,425.00	7,425	7,425
-----	S. 2282-c	-----	-----	-----	-----	-----
Historical Society -----	Ch. 252-37G. A.	-----	-----	-----	-----	-----
Horticultural Society and Exposition -----	Ch. 294-39G. A.	89,000.00	44,500.00	44,500.00	44,500	44,500
-----	S. 1673	-----	-----	-----	-----	-----
-----	Ch. 254-39G. A.	24,000.00	8,000.00	10,000.00	12,000	12,000
-----	S. 2308-a; S. 2283;	-----	-----	-----	-----	-----
Insane, escaped and non-resident -----	S. 3727-a 28-b;	-----	-----	-----	-----	-----
-----	S. 2287	-----	8,074.54	-----	3,000	3,000
Inebriate, escaped -----	S. 2310-a-19	-----	121.17	-----	-----	-----
Reporter of the Supreme Court supplement compiled code -----	Ch. 333-39G. A.	-----	17,074.26	-----	-----	-----
Preparation code annotations -----	Ch. 323-39G. A.	-----	6,671.16	-----	-----	-----
Reward, return escaped prisoners -----	C. 5681	-----	375.00	-----	500	500
Reward, apprehension of criminals -----	Ch. 250-39G. A.	-----	1,900.00	-----	1,000	1,000
State entomologist -----	S. S. 2575-a52	9,000.00	5,254.49	4,500.00	4,500	4,500
Treatment of indigent children -----	S. S. 254-g	-----	622,774.38	-----	625,000	625,000
State Dairy Association -----	Ch. 304-39G. A.	12,500.00	5,531.69	7,296.13	6,250	6,250
Iowa Beef Cattle Producers' Association -----	Ch. 304-39G. A.	12,500.00	6,556.76	6,273.48	6,250	6,250
Iowa Corn and Small Grain Growers' Association -----	Ch. 304-39G. A.	7,500.00	3,899.56	3,644.72	3,750	3,750
Total -----	-----	203,860.00	\$921,849.42	\$115,379.28	\$ 867,625	\$1,117,625

*Balance, December 1, 1922, \$4.34.

INSTITUTIONS UNDER BOARD OF CONTROL SUPPORT.

Items For Which Money Is Used	Citation of authority	Appropriation to July 1, 1921, June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Soldiers' Home, Marshalltown	Ch. 297-39G. A.	\$ 555,000	\$ 281,708.66	\$ 273,291.34	\$ 270,500	\$ 270,500
Soldiers' Orphans' Home, Davenport	Ch. 297-39G. A.	263,000	180,672.00	132,928.00	142,500	142,500
Juvenile Home, Toledo	Ch. 165-38G. A.	131,600	68,978.50	62,621.50	78,500	78,500
Institution for Feeble-Minded Children, Glenwood	Ch. 297-39G. A.	860,000	416,658.12	443,341.88	414,000	414,000
State Sanatorium for the Treatment of Tuberculosis, Oakdale	Ch. 297-39G. A.	408,000	204,085.96	203,914.04	*225,000	225,000
Training School for Boys, Eldora	Ch. 37-38G. A.	306,500	150,779.01	155,720.99	153,250	153,250
Training School for Girls, Mitchellville	Ch. 37-38G. A.	146,000	75,447.58	69,552.42	81,300	81,300
Mt. Pleasant State Hospital, Mt. Pleasant	Ch. 37-38G. A.	736,000	316,405.19	419,594.81	298,500	298,500
Independence State Hospital, Independence	Ch. 37-38G. A.	746,000	355,548.73	390,451.27	308,500	308,500
Clarinda State Hospital, Clarinda	Ch. 37-38G. A.	734,000	316,899.65	417,100.35	309,500	309,500
Cherokee State Hospital, Cherokee	Ch. 37-38G. A.	736,000	350,522.96	376,477.04	305,000	305,000
State Hospital and Colony for Epileptics, Woodward	Ch. 5-39G. A.	305,000	154,865.62	150,134.38	172,300	172,300
State Penitentiary, Ft. Madison	Ch. 297-39G. A.	460,000	231,345.44	228,654.56	250,000	250,000
Men's Reformatory, Anamosa	Ch. 37-38G. A.	610,000	314,966.02	295,033.98	325,000	325,000
Women's Reformatory, Rockwell City	Ch. 37-38G. A.	102,000	46,509.86	55,490.11	51,000	51,000
Total		\$7,098,100	\$3,423,703.32	\$3,674,396.67	\$3,379,850	\$3,379,850

*Increase for State Sanatorium to provide support for 33% per cent increase in population when new building has been completed.

INSTITUTIONS UNDER BOARD OF CONTROL SPECIAL FUNDS.

Items For Which Money Is Used	Citation of authority	Appropriation to July 1, 1921, June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Soldiers' Home, Marshalltown	Ch. 298-39G. A.	\$ 47,000	\$ 26,775.12	\$ 30,224.89	\$ 16,000	\$ 16,000
Soldiers' Orphans' Home, Davenport	Ch. 298-39G. A.	33,800	24,816.71	9,483.29	14,800	14,800
Juvenile Home, Toledo	Ch. 298-39G. A.	87,500	21,918.02	15,581.98	25,000	36,000
Institution for Feeble-Minded Children, Glenwood	Ch. 299-39G. A.	102,000	69,474.04	32,525.96	123,500	122,500
State Sanatorium for the Treatment of Tuberculosis, Oakdale	Ch. 298-39G. A.	371,000	77,255.16	293,744.84	15,750	15,750
Training School for Boys, Eldora	Ch. 298-39G. A.	52,400	25,010.94	27,389.06	20,950	20,950
Training School for Girls, Mitchellville	Ch. 298-39G. A.	70,500	44,018.17	26,481.83	15,950	15,950
Mt. Pleasant State Hospital, Mt. Pleasant	Ch. 298-39G. A.	88,000	41,068.20	41,901.80	26,250	26,250
Independence State Hospital, Independence	Ch. 298-39G. A.	68,500	34,188.88	34,311.12	40,000	40,000
Clarinda State Hospital, Clarinda	Ch. 298-39G. A.	57,000	20,006.98	36,993.02	92,500	92,500
Cherokee State Hospital, Cherokee	Ch. 338-39G. A.					
	Ch. 298-39G. A.	100,500	47,055.41	53,444.59	27,750	27,750
State Hospital and Colony for Epileptics, Woodward	Ch. 298-39G. A.	188,000	125,439.65	62,560.35	156,000	156,000
State Penitentiary, Ft. Mad- ison	Ch. 298-39G. A.	130,000	14,068.30	115,911.70	92,000	92,000
Men's Reformatory, Anamosa	Ch. 300-39G. A.					
	Ch. 298-39G. A.	89,000	75,807.87	13,192.13	14,250	14,250
Women's Reformatory, Rock- well City	Ch. 298-39G. A.	12,500	1,230.41	11,269.59	6,000	6,000
General emergency appropri- ation for all institutions	Ch. 298-39G. A.	50,000	19,321.06	30,678.94	25,000	25,000
Total		\$ 1,492,700	\$587,064.92	\$325,635.06	\$ 719,700	\$ 719,700

**APPROPRIATIONS ASKED FOR BY THE BOARD OF CONTROL OF STATE
INSTITUTIONS FOR THE PERIOD BEGINNING JULY 1,
1923 AND ENDING JUNE 30, 1925.**

SOLDIERS' HOME, MARSHALLTOWN.

For contingent and repair.....	\$ 30,000.00
For lectures, moving pictures, books, periodicals, music & band expense.....	2,000.00
Total special appropriations asked.....	\$ 32,000.00
Estimated cost of maintenance.....	541,000.00
Total requirements for next biennium.....	\$573,000.00

SOLDIERS' ORPHANS' HOME, DAVENPORT.

For contingent and repair.....	\$ 20,000.00
For rebuilding bath rooms in children's cottages.....	5,000.00
For fixtures, floors, wainscoting, plumbing, etc., enlarging cold storage rooms.....	800.00
For chaplain, lectures, amusements, books and periodicals.....	2,000.00
For dental, oculist, aurist, nose and throat treatments and necessary supplies.....	1,800.00
Total special appropriations asked.....	\$ 29,600.00
Estimated cost of maintenance.....	285,000.00
Total requirements for next biennium.....	\$314,600.00

JUVENILE HOME, TOLEDO.

For contingent and repair.....	\$ 10,000.00
For central heating plant, including pumps and machinery.....	25,000.00
For cold storage bins and freight supply depot to be located in connec- tion with central heating plant.....	3,500.00
For laundry and equipment.....	15,000.00
For laying of water and sewer mains and continuance of outlets.....	10,000.00
For dental, oculist, aurist, nose and throat treatments and necessary supplies.....	1,500.00
For chaplain, lectures, amusements, books and periodicals.....	1,000.00
Total special appropriations asked.....	\$ 66,000.00
Estimated cost of maintenance.....	147,000.00
Total requirements for next biennium.....	\$213,000.00

INSTITUTION FOR FEEBLE-MINDED CHILDREN, GLENWOOD.

For contingent and repair.....	\$ 35,000.00
For cottage and partial equipment—for 160 inmates—to replace two old dilapidated cottages.....	150,000.00
For cottage and equipment for 50 farm boys.....	40,000.00
For repairs to plumbing and changes in heating system.....	20,000.00
For chaplain, lectures, amusements, books and periodicals.....	2,000.00
Total special appropriations asked.....	\$247,000.00
Estimated cost of maintenance.....	828,000.00
Total requirements for next biennium.....	\$1,075,000.00

STATE SANATORIUM FOR THE TREATMENT OF TUBERCULOSIS, OAKDALE.

For contingent and repair.....	\$ 25,000.00
For water softener.....	5,000.00
For chaplain, lectures, amusements, books, etc.....	1,500.00
Total special appropriations asked.....	\$ 31,500.00
Estimated cost of maintenance.....	450,000.00
Total requirements for next biennium.....	\$481,500.00

TRAINING SCHOOL FOR BOYS, ELDORA.

For contingent and repair.....	\$ 20,000.00
For repairs to administration building.....	3,000.00
For boys, seven cottages, toilets and bath.....	3,500.00
For steam boilers.....	7,000.00
For equipment and supplies, educational department.....	2,000.00
For transportation of boys.....	1,200.00
For dental, oculist, aurist, nose and throat treatments and necessary supplies.....	4,000.00
For chaplain, lectures, amusements, etc.....	1,200.00
Total special appropriations asked.....	\$ 41,900.00
Estimated cost of maintenance.....	306,500.00
Total requirements for next biennium.....	\$348,400.00

TRAINING SCHOOL FOR GIRLS, MITCHELLVILLE.

For contingent and repair.....	\$ 20,000.00
For enlarging power house.....	2,000.00
For furnishings for new cottage.....	5,000.00
For library.....	1,000.00
For music and musical instruments.....	1,000.00
For transportation of girls.....	1,000.00
For repairing green house.....	1,000.00
For chaplain.....	600.00
For victrola records and motion pictures.....	300.00
Total special appropriations asked.....	\$ 31,900.00
Estimated cost of maintenance.....	162,600.00
Total requirements for next biennium.....	\$194,500.00

MT. PLEASANT STATE HOSPITAL, MT. PLEASANT.

For contingent and repair.....	\$ 30,000.00
For replacement of steam, hot and cold water pipes, also repairs on service tunnel.....	10,000.00
For lectures, amusements, books and periodicals.....	500.00
For employees' quarters.....	12,000.00
Total special appropriations asked.....	\$ 52,500.00
Estimated cost of maintenance.....	597,000.00
Total requirements for next biennium.....	\$649,500.00

INDEPENDENCE STATE HOSPITAL, INDEPENDENCE.

For contingent and repair.....	\$ 30,000.00
For building for inebriates.....	50,000.00
Total special appropriations asked.....	\$ 80,000.00
Estimated cost of maintenance.....	617,000.00
Total requirements for next biennium.....	\$697,000.00

CLARINDA STATE HOSPITAL, CLARINDA.

For contingent and repair.....	\$ 20,000.00
For hospital building and equipment.....	150,000.00
For completion of cow barn.....	7,000.00
For tubercular cottage, additional.....	8,000.00
Total special appropriations asked.....	\$185,000.00
Estimated cost of maintenance.....	619,000.00
Total requirements for next biennium.....	\$804,000.00

CHEROKEE STATE HOSPITAL, CHEROKEE.

For contingent and repair.....	\$ 30,000.00
For zeolite softener for hot water.....	10,000.00
For elevated tank for water supply.....	10,000.00
For canning unit not to exceed.....	3,000.00
For corncrib and granary.....	2,500.00
Total special appropriations asked.....	\$ 55,500.00
Estimated cost of maintenance.....	610,000.00
Total requirements for next biennium.....	\$665,500.00

STATE HOSPITAL AND COLONY FOR EPILEPTICS, WOODWARD.

For contingent and repair.....	\$ 20,000.00
For cottage and equipment for boys.....	125,000.00
For cottage and equipment for girls.....	125,000.00
For southeast wing of employers' building.....	19,000.00
For slaughterhouse and equipment.....	3,000.00
For one battery of two 260 H. P. boilers.....	20,000.00
Total special appropriations asked.....	\$312,000.00
Estimated cost of maintenance.....	344,600.00
Total requirements for next biennium.....	\$656,600.00

STATE PENITENTIARY, FORT MADISON.

For contingent and repair.....	\$ 25,000.00
For transportation of prisoners and gift money.....	2,000.00
For dental, oculist, aurist, nose and throat treatments and necessary supplies	2,000.00
For lectures and concerts.....	2,000.00
For additional for cell house construction.....	150,000.00
For converting horse barn into duplex for employees.....	3,000.00
Total special appropriations asked.....	\$184,000.00
Estimated cost of maintenance.....	500,000.00
Total requirements for next biennium.....	\$684,000.00

MEN'S REFORMATORY, ANAMOSA.

For contingent and repair.....	\$ 20,000.00
For transportation of prisoners and gift money.....	5,000.00
For lectures, amusements, books and periodicals.....	1,000.00
For dental, oculist, aurist, nose and throat treatments and necessary supplies	2,500.00
Total special appropriations asked.....	\$ 28,500.00
Estimated cost of maintenance.....	650,000.00
Total requirements for next biennium.....	\$678,500.00

WOMEN'S REFORMATORY, ROCKWELL CITY.

For contingent and repair.....	\$ 12,000.00
Total special appropriations asked.....	\$ 12,000.00
Estimated cost of maintenance.....	102,000.00
Total requirements for next biennium.....	\$114,000.00

SUMMARY.

General emergency appropriation for all institutions.....	\$ 50,000.00
Grand total special appropriations asked.....	1,389,400.00
Grand total maintenance appropriations, per capita allowance.....	6,759,700.00
Grand total for all institutions.....	\$8,199,100.00

INSTITUTIONS UNDER BOARD OF EDUCATION—STATE UNIVERSITY.

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921, to June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Educational support.....	Ch. 305-36G. A.	\$ 909,408	\$ 454,700	\$ 454,700		
	Ch. 287-39G. A.	1,035,294	517,647	517,647	\$1,139,347	\$1,139,347
Colleges of Lib. Arts, Ap. Sci., Law, Pharmacy and Medicine.....	Ch. 305-36G. A.	136,700	68,350	68,350		
	Ch. 287-39G. A.	160,000	80,000	80,000	148,350	148,350
	Ch. 287-39G. A.	150,000	75,000	75,000	160,000	160,000
College of Medicine.....	Ch. 305-36G. A.	47,450	23,725	23,725		
College of Dentistry.....	Ch. 287-39G. A.	40,000	20,000	20,000	43,725	43,725
	Ch. 305-36G. A.	40,000	20,000	20,000		
College of Education.....	Ch. 287-39G. A.	52,000	26,000	26,000	66,000	66,000
	Ch. 305-36G. A.	18,000	9,000	9,000		
Graduate college.....	Ch. 287-39G. A.	80,000	40,000	40,000	74,000	74,000
	Ch. 305-36G. A.	6,000	3,000	3,000	3,000	3,000
College of Fine Arts.....	Ch. 305-36G. A.	32,000	16,000	16,000		
Summer school.....	Ch. 287-39G. A.	76,000	38,000	38,000	79,000	79,000
	Ch. 305-36G. A.	25,000	12,500	12,500		
Equipment and supplies.....	Ch. 287-39G. A.	32,000	16,000	16,000	48,500	48,500
	Ch. 305-36G. A.	70,000	35,000	35,000		
Repair and contingent.....	Ch. 287-39G. A.	88,000	43,000	43,000	98,000	98,000
Department of buildings and grounds.....	Ch. 305-36G. A.	24,000	12,000	12,000		
	Ch. 287-39G. A.	160,000	80,000	80,000	112,000	122,000
Administration.....	Ch. 305-36G. A.	12,450	6,225	6,225		
	Ch. 287-39G. A.	36,000	18,000	18,000	34,225	34,225
Library.....	Ch. 305-36G. A.	35,000	17,500	17,500		
	Ch. 287-39G. A.	70,600	35,300	35,300	72,500	72,500
Commerce.....	Ch. 287-39G. A.	100,000	50,000	50,000	75,000	75,000
Nurses' training and public health nursing.....	Ch. 287-39G. A.	40,000	20,000	20,000	20,000	20,000
Soldier tuition.....	Ch. 287-39G. A.	120,000	60,000	60,000	50,000	50,000
University extension and public health service.....	Ch. 305-36G. A.	34,000	17,000	17,000		
	Ch. 287-39G. A.	86,000	43,000	43,000	60,000	60,000
Epidemiology laboratory.....	Ch. 305-36G. A.	10,000	5,000	5,000		
	Ch. 287-39G. A.	30,000	15,000	15,000	20,000	20,000
Child welfare.....	Ch. 281-37G. A.	50,000	25,000	25,000	30,000	30,000
Additional equipment for buildings and departments.....	Ch. 287-39G. A.	170,000	85,000	85,000	180,000	180,000
Paving, sidewalks and sewer.....	Ch. 287-39G. A.	60,000	30,000	30,000	20,000	20,000
General lighting system for campus.....	Ch. 287-39G. A.	5,000	2,500	2,500	2,500	2,500
Grading and planting.....	Ch. 287-39G. A.	10,000	5,000	5,000	5,000	5,000
Additional reading room for library.....	Ch. 287-39G. A.	5,000	2,500	2,500		
Water pumps and filter.....					32,500	32,500
Total.....		\$ 4,053,294	\$ 2,026,647	\$ 2,026,647	\$2,513,647	\$2,513,647
*For buildings and land.....	Ch. 280-39G. A.	\$ 500,000	\$ 165,000	\$ 335,000		
To complete the nurses' home.....	Ch. 290-39G. A.	25,000	25,000		None	None
To complete State Psychopathic Hospital and for equipment.....	Ch. 291-39G. A.	97,000	97,000		None	None
Grand total, including buildings and land.....		\$ 4,675,294	\$ 2,313,647	\$ 2,361,647		

IOWA STATE COLLEGE.

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921, to June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1923-24	Fiscal year 1924-25
Educational support -----	Ch. 305-36G. A.	\$ 1,010,000	\$ 505,000	\$ 505,000		
Summer session -----	Ch. 287-39G. A.	1,518,000	759,000	759,000	\$1,501,500	\$1,501,500
	Ch. 305-36G. A.	40,000	20,000	20,000		
	Ch. 287-39G. A.	40,000	20,000	20,000	55,000	55,000
2-year and 4-year course in home economics -----	Ch. 305-36G. A.	40,000	20,000	20,000	20,000	20,000
Sub-collegiate courses in Ag., Home Eco. and Eng.-----	Ch. 305-36G. A.	108,000	54,000	54,000		
	Ch. 287-39G. A.	40,000	20,000	20,000	74,000	74,000
Contingent fund, repairs and minor improvements -----	Ch. 305-36G. A.	92,000	46,000	46,000		
	Ch. 287-39G. A.	20,000	10,000	10,000	56,000	56,000
Library, books and period'ls -----	Ch. 305-36G. A.	10,000	5,000	5,000		
	Ch. 287-39G. A.	40,000	20,000	20,000	25,000	25,000
Maintenance and improvement of public grounds.-----	Ch. 305-36G. A.	20,000	10,000	10,000		
	Ch. 287-39G. A.	20,000	10,000	10,000	25,000	25,000
Soldier tuition -----	Ch. 287-39G. A.	120,000	60,000	60,000	50,000	50,000
Winter short courses -----	Ch. 305-36G. A.	19,000	9,500	9,500	9,500	9,500
Engineer's experiment station -----	Ch. 305-36G. A.	30,000	15,000	15,000		
	Ch. 287-39G. A.	40,000	20,000	20,000	40,000	40,000
Agri. experiment station.-----	Ch. 305-36G. A.	231,000	115,500	115,500		
	Ch. 287-39G. A.	269,000	134,500	134,500	275,000	275,000
Agriculture and home economic extension -----	Ch. 305-36G. A.	180,000	90,000	90,000		
	Ch. 287-39G. A.	170,000	85,000	85,000	210,000	210,000
Bee culture -----	Ch. 289-37G. A.	3,000	1,500	1,500	1,500	1,500
Trade school and engineering extension -----	Ch. 305-36G. A.	50,000	25,000	25,000		
	Ch. 287-39G. A.	20,000	10,000	10,000	40,000	40,000
Veterinary practitioners' course -----	Ch. 305-36G. A.	5,000	2,500	2,500	2,500	2,500
Veterinary investigations -----	Ch. 305-36G. A.	25,000	12,500	12,500		
	Ch. 287-39G. A.	12,000	6,000	6,000	30,500	30,500
Good roads experimentation -----	Ch. 305-36G. A.	20,000	10,000	10,000		
Equipment and furnishings for buildings and depts.-----	Ch. 287-39G. A.	85,000	42,500	42,500	102,500	102,500
Extension of heating system and equipment of heating plant -----	Ch. 287-39G. A.	40,000	20,000	20,000	60,000	60,000
Additional construction and equipment -----	Ch. 287-39G. A.	135,000	67,500	67,500	67,500	67,500
Total.-----		\$ 4,452,000	\$ 2,226,000	\$ 2,226,000	\$2,655,500	\$2,655,500*
*Buildings and land.-----	Ch. 280-39G. A.	500,000	138,500	361,500		
Grand total including buildings and land.-----		\$ 4,952,000	\$ 2,364,500	\$ 2,587,500		

COLLEGE FOR THE BLIND.

Support fund -----	Ch. 305-36G. A.	\$ 80,000	\$ 40,000	\$ 40,000		
	Ch. 287-39G. A.	80,000	40,000	40,000	\$ 80,000	\$ 80,000
Repair and contingent.-----	Ch. 305-36G. A.	3,000	1,500	1,500		
	Ch. 287-39G. A.	7,000	3,500	3,500	5,000	5,000
Oculist fund -----	Ch. 305-36G. A.	200	100	100	100	100
Piano and furniture -----	Ch. 287-39G. A.	5,000	5,000		2,000	2,000
Improvements -----	Ch. 287-39G. A.	6,000	6,000		2,500	2,500
Equipment -----	Ch. 287-39G. A.	6,000	6,000		2,500	2,500
Greenhouse -----	Ch. 287-39G. A.	4,000	4,000			
Small building -----					2,500	2,500
Total.-----		\$ 191,200	\$ 106,100	\$ 85,100	\$ 94,600	\$ 94,600

IOWA STATE TEACHERS COLLEGE.

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1921, to June 30, 1922	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
					Fiscal year 1922-24	Fiscal year 1924-25
Teachers' fund -----	Ch. 305-39G. A.	\$ 279,000	\$ 129,500	\$ 129,500		
	Ch. 287-39G. A.	330,000	165,000	165,000	\$ 229,500	\$ 229,500
Summer term fund.-----	Ch. 305-39G. A.	80,000	40,000	40,000		
	Ch. 287-39G. A.	88,000	44,000	44,000	89,000	89,000
Contingent and repair.-----	Ch. 305-39G. A.	140,000	70,000	70,000		
	Ch. 287-39G. A.	200,000	100,000	100,000	170,000	170,000
Library -----	Ch. 305-39G. A.	10,000	5,000	5,000		
	Ch. 287-39G. A.	20,000	10,000	10,000	15,000	15,000
Librarians' salary fund.-----	Ch. 305-39G. A.	17,000	8,500	8,500		
	Ch. 287-39G. A.	16,000	8,000	8,000	18,500	18,500
Hospital fund -----	Ch. 305-39G. A.	4,500	2,250	2,250		
	Ch. 287-39G. A.	12,000	6,000	6,000	8,250	8,250
Extension service fund.-----	Ch. 305-39G. A.	20,500	19,750	19,750		
	Ch. 287-39G. A.	80,000	80,000	80,000	61,750	61,750
Extension summer school.-----	Ch. 287-39G. A.	70,000	35,000	35,000	50,000	50,000
Heating plant -----					10,000	10,000
Total.-----	Ch. 292-39G. A.	\$ 1,396,000	\$ 688,000	\$ 688,000	\$ 752,000	\$ 752,000
Purchase of land.-----	Ch. 292-39G. A.	80,000	None	None	None	None
*Dormitory for women.-----	Ch. 292-39G. A.	25,000	None	None	None	None
Home economics buildings (laboratory)						
Grand total, including buildings and land.-----		\$ 1,506,000				

*The building problems which confront the State Board of Education will be appreciated when it is realized that on November 1, 1922, there were, in the three state institutions of higher learning, 2,356 more students than there were two years ago. This increase alone exceeds the enrollment of Princeton, or Amherst, or Dartmouth, or any one of a number of other famous and well-known colleges. To take care of these students requires additional class-room and laboratory facilities, as well as greater housing space. Because of the magnitude of this problem, the Board is still gathering data regarding costs, before making final recommendations concerning the building program; and this report will be presented direct to the General Assembly after it convenes.

IOWA SCHOOL FOR THE DEAF.

Support fund -----	Ch. 287-39G. A.	\$ 264,000	\$ 122,000	\$ 122,000	\$ 150,000	\$ 150,000
Scholarships -----	Ch. 287-39G. A.	1,000	500	500	500	500
Repair and contingent.-----	Ch. 287-39G. A.	30,000	30,000	-----	15,000	15,000
Library and book binding.---	Ch. 287-39G. A.	1,000	1,000	-----	500	500
Equipment -----	Ch. 287-39G. A.	91,000	91,000	-----	21,500	21,500
Total.-----		\$ 387,000	\$ 254,500	\$ 133,500	\$ 187,500	\$ 187,500

RETRENCHMENT AND REFORM COMMITTEE.

Contingent fund for the joint committee of the 40th Gen-Assembly	Ch. 313, Sec. 17-39 G. A.	\$ 40,000	\$ 12,000	\$ 28,000	\$ 20,000	\$ 20,000
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Note.—Expended in the biennium period commencing July 1, 1921 and running to this 8th day of November, 1922, the State Auditor reports that of this \$40,000.00 contingent fund there has been expended to wit \$12,000.00 for various incidentals and emergency matters arising from time to time and covered by orders of the Committee as shown in its minutes and orders preserved of record. Itemization of the \$12,000.00 expended so far from the current \$40,000.00 appropriation is not returnable for the reason that the Committee has no means other than its orders of authorization, of keeping record of its expenditures, bills for such expenses going direct to the State Auditor, who keeps and has the only record available and which is made part hereof by reference.

Items For Which Money Is Used	Appropriation July 1, 1921, to June 30, 1923	Expended in fiscal year 1921-22	Available fiscal year 1922-23	Department Estimates for Next Biennium	
				Fiscal year 1923-24	Fiscal year 1924-25
Adjutant general				\$ 7,300.00	\$ 7,300.00
Iowa National Guard				300,000.00	300,000.00
Iowa war roster commission	\$ 18,825.64	\$ 8,586.15	\$ 10,240.49	6,000.00	6,000.00
Attorney general	145,400.00	62,588.16	82,811.84	74,200.00	74,200.00
Auditor of state	50,400.00	89,836.03	25,200.00	29,000.00	29,000.00
Banking department					
Board of control	130,180.00	67,806.56	69,639.56	102,100.00	102,100.00
Board of conservation	200,000.00	66,808.85	106,600.00	106,600.00	106,600.00
Board of health	125,000.00	114,683.87	85,316.13	100,000.00	100,000.00
Bureau of venereal disease control					
Board of parole	50,000.00	60,922.47	62,500.00	79,100.00	79,100.00
Board of railroad commissioners and commerce counsel	192,804.38	25,000.00	25,000.00	25,000.00	25,000.00
Bureau of labor statistics		33,470.41		39,000.00	40,000.00
Clerk of supreme court		81,551.17	92,797.12	94,000.00	90,000.00
Commission of animal health	43,800.00	21,298.32	22,200.00	31,000.00	31,000.00
Commissioner of insurance	18,600.00	9,530.50	9,269.50	11,500.00	11,500.00
Custodian of buildings and grounds	571,249.27	265,771.28	284,600.00	684,840.00	684,840.00
Dairy and food department	75,300.00	90,214.88	37,680.00	102,700.00	102,700.00
Department of agriculture and state fair	129,230.00	64,783.82	64,446.71	93,445.00	93,445.00
District court	232,440.00	99,559.00	114,120.00	109,120.00	109,120.00
Executive council	38,886.00	34,229.58	6,693.06	19,400.00	19,400.00
Fish and game department	512,000.00	279,151.23		278,800.00	278,800.00
Governor	481,260.00	185,694.59	295,565.41	265,130.00	265,130.00
Historical department					
Hotel inspection					
Iowa geological survey					
Iowa industrial commissioner					
Iowa library commission					
Iowa weather and crop service					
Mine inspection					
Pharmacy commission					
Pensions and relief					
Secretary of state					
Motor vehicle department					
State board of education					
State board of vocational education					
State fire marshal					
State highway commission					
State library					
State law library					
State library legislative reference bureau					
State library medical department					
State oil inspection					
State printing board					
State veterinary surgeon					
Supreme court					
Supreme court reporter					
Superintendent of public instruction					
Treasurer of state					
Other general accounts					
Institutions under board of control					
Institutions under board of education					
Retrenchment and reform committee					
Total	\$24,747,553.16	\$13,913,117.84	\$12,278,989.58	\$15,017,386.33	\$15,231,386.45

*2 1/4 % Motor Vehicle Licenses.

†2 1/4 % Motor Vehicle Licenses.

Note: Summary does not include the following:

Request to be made by the State Board of Education for new buildings. The appropriation for buildings and land for present biennial period is \$1,352,000.00

Charge against the general fund for printing, estimated not to exceed, annually 150,000.00

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 7, A. D. 1922, and announced as teller on the part of the Senate, Senator Dutcher of Johnson and as assistant tellers, Senators White of Benton and Bowman of Black Hawk.

Speaker Anderson announced as teller on the part of the House, Representative Forsling of Woodbury, and as assistant tellers, Representative Patterson of Kossuth and Potts of Lee.

The President further announced that in accordance with the statute, Tellers Dutcher of Johnson and Fosling of Woodbury would constitute the judges of said canvass.

Speaker Anderson 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 7, A. D. 1922.

Moved by Lovrien of Humboldt that the joint session now take a recess until Thursday, January 11th, at 1:45 o'clock p. m. Motion prevailed.

Senate returned to Senate chamber and resumed its session.

REPORT BY SECRETARY OF STATE

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

I, W. C. Ramsey, Secretary of State for the state of Iowa, and the custodian of the laws and acts of the general assembly,

Do hereby certify that a certain enactment of the 39th General Assembly known as Chapter 332, Acts of the 39th General Assembly, was published as required by law, all in compliance with Article 7 of Section 5 of the Constitution of Iowa, relative to the submission to the electorate of the question of incurring debts by the state, and that the attached is a true, correct and complete list of the various newspapers in the several counties of the state in which the aforesaid enactment was published.

Given under my hand, and the seal of my office affixed this 5th day of January, A. D. 1923.

W. C. RAMSAY, *Secretary of State.*

PAPER

POSTOFFICE

COUNTY

Free-Press.....	Greenfield.....	Adair
Union-Republican.....	Corning.....	Adams
Republican-Standard.....	Waukon.....	Allamakee
Iowegian.....	Centerville.....	Appanoose
Republican.....	Audubon.....	Audubon
Union.....	Belle Plaine.....	Benton
Courier.....	Waterloo.....	Blackhawk

COUNTY	PAPER	POSTOFFICE
News-Republican.....	Boone.....	Boone
Leader.....	Tripoli.....	Bremer
Bulletin-Journal.....	Independence.....	Buchanan
Pilot-Tribune.....	Storm Lake.....	Buena Vista
Tribune.....	Allison.....	Butler
Journal.....	Manson.....	Calhoun
Herald.....	Carroll.....	Carroll
News-Telegraph.....	Atlantic.....	Cass
Advertiser.....	Tipton.....	Cedar
Globe-Gazette.....	Mason City.....	Cerro Gordo
Chief.....	Cherokee.....	Cherokee
Gazette.....	New Hampton.....	Chickasaw
Sentinel.....	Osceola.....	Clarke
News-Herald.....	Spencer.....	Clay
Register.....	Elkader.....	Clayton
Herald.....	Clinton.....	Clinton
Review.....	Denison.....	Crawford
Record.....	Adel.....	Dallas
Republican.....	Bloomfield.....	Davis
Journal.....	Leon.....	Decatur
Press.....	Manchester.....	Delaware
Hawkeye.....	Burlington.....	Des Moines
Beacon.....	Spirit Lake.....	Dickinson
Times-Journal.....	Dubuque.....	Dubuque
Union.....	West Union.....	Fayette
Press.....	Charles City.....	Floyd
Recorder.....	Hampton.....	Franklin
Argus.....	Sidney.....	Fremont
Bee.....	Jefferson.....	Greene
Republican.....	Grundy Center.....	Grundy
Times.....	Guthrie Center.....	Guthrie
Freeman-Journal.....	Webster City.....	Hamilton
Signal.....	Garner.....	Hancock
Ledger.....	Eldora.....	Hardin
Observer.....	Logan.....	Harrison
News.....	Mt. Pleasant.....	Henry
Times.....	Cresco.....	Howard
Independent.....	Humboldt.....	Humboldt
Record-Era.....	Ida Grove.....	Ida
Republican.....	Marengo.....	Iowa
Excelsior.....	Maquoketa.....	Jackson
News.....	Newton.....	Jasper
Ledger.....	Fairfield.....	Jefferson
Republican.....	Iowa City.....	Johnson
Express.....	Monticello.....	Jones
News.....	Sigourney.....	Keokuk
Upper Des Moines Republican	Algona.....	Kossuth
Keokuk Gate City.....	Keokuk.....	Lee

PAPER	POSTOFFICE	COUNTY
Fort Madison Evening Democrat.....	Fort Madison.....	Lee
Gazette.....	Cedar Rapids.....	Linn
Republican.....	Cedar Rapids.....	Linn
Republican.....	Wapello.....	Louisa
Herald Patriot.....	Chariton.....	Lucas
Reporter.....	Rock Rapids.....	Lyon
Madisonian.....	Winterset.....	Madison
Herald.....	Oskaloosa.....	Mahaska
Times-Republican.....	Marshalltown.....	Marshall
Opinion.....	Glenwood.....	Mills
News.....	Osage.....	Mitchell
Press.....	Mapleton.....	Monona
Republican.....	Albia.....	Monroe
Express.....	Red Oak.....	Montgomery
Journal.....	Muscatine.....	Muscatine
Bell.....	Primghar.....	O'Brien
Gazette.....	Sibley.....	Osceola
Sentinel-Post.....	Shenandoah.....	Page
Reporter.....	Emmetsburg.....	Palo Alto
Sentinel.....	LeMars.....	Plymouth
Record.....	Pocahontas.....	Pocahontas
Index.....	Mitchellville.....	Polk
Nonpareil.....	Council Bluffs.....	Pottawattamie
Journal-Herald.....	Council Bluffs.....	Pottawattamie
Register.....	Grinnell.....	Poweshiek
Record-News.....	Mount Ayr.....	Ringgold
Bulletin.....	Sac City.....	Sac
Times.....	Davenport.....	Scott
Republican.....	Harlan.....	Shelby
Journal.....	Orange City.....	Sioux
Tribune.....	Ames.....	Story
Chronicle.....	Toledo.....	Tama
Free-Press.....	Bedford.....	Taylor
Advertiser-Gazette.....	Creston.....	Union
Republican.....	Keosauqua.....	Van Buren
Courier.....	Ottumwa.....	Wapello
Record.....	Indianola.....	Warren
Journal.....	Washington.....	Washington
Times-Republican.....	Corydon.....	Wayne
Messenger.....	Fort Dodge.....	Webster
Republican.....	Forest City.....	Winnebago
Public Opinion.....	Decorah.....	Winneshiek
Tribune.....	Sioux City.....	Woodbury
Index.....	Northwood.....	Worth
Eagle.....	Eagle Grove.....	Wright

On motion of Senator Buser Senate adjourned until 10 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER
DES MOINES, JANUARY 10, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. Robt. W. Thompson, pastor of the First United Presbyterian Church of Des Moines.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Darting for the day on request of Senator Price.

PETITIONS AND MEMORIALS

The following petitions were presented:

By Senator Campbell, from citizens of the Forty-sixth District, urging a change in the age limit of persons allowed in public billiard halls.

By Senator Stoddard, from Camp No. 4655, Modern Woodmen of America, Danbury, urging defeat of the Richmond bill.

By Senator Brookins, from Camp No. 220, Modern Woodmen of America, Charles City, urging defeat of the Richmond bill.

By Senator Reed, from Camp No. 238, Modern Woodmen of America, Lime Springs, urging defeat of the Richmond bill.

By Senator Reed, from Camp No. 4561, Modern Woodmen of America, Hesper, urging defeat of the Richmond bill.

CONCURRENT RESOLUTION CALLED UP

Senator Ethell called up for consideration the resolution found on page 39 of the Senate Journal, relating to the consideration of appropriation bills, and moved its adoption:

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

Ayes, 45.

Abben
Baird

Bergman
Bowman

Brookins
Browne

Caldwell
Campbell

Banta	Brookhart	Buser	Cessna
Dutcher	Horchem	Price	Snook
Ethell	Johnston	Reed	Stoddard
Fulton	Kimberly	Rees	Thurston
Gilchrist	McIntosh	Romkey	Tuck
Goodwin	Mantz	Schaff	White
Hale	Nelson	Shane	Wichman
Hartman	Newberry	Shinn	
Haskell	Olson	Slosson	
Holdoegel	Perkins	Smith	
Nays, none.			
Absent or not voting, 5.			
Adams	Darting	Mead	Scott
Chase			

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

Senator Buser moved that a committee of three be appointed to escort ex-Senator Parker to the desk. Carried. The President appointed as such committee Senators Ethell, Buser and Goodwin. Senator Parker briefly addressed 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 passed the following joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution No. 1, fixing the compensation of the officers and employees of the Fortieth General Assembly and providing for an electrician and assistant electrician to operate the voting machine in the House of Representatives and fixing their compensation therefor.

Also, the House has passed Senate concurrent resolution relating to the inauguration of the Governor and Lieutenant Governor and the Speaker of the House appoints as such committee on the part of the House:

Diltz of Polk	Healy of Hancock
Hauge of Polk	Weber of Dubuque
Berry of Monroe	Rhinehart of Dallas

Also, the House has passed Senate concurrent resolution relative to a joint convention January 11th, at eleven o'clock a. m.

Also, the House has passed the following resolution in which the concurrence of the Senate is asked:

House concurrent resolution providing for the creation of a committee on extra help.

Also the House has passed Senate concurrent resolution relating to adjournment for recess.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House Joint Resolution No. 1, a joint resolution fixing the compensation of the officers and employees of the Fortieth General Assembly and providing for an electrician and assistant electrician to operate the voting machine in the House of Representatives and fixing their compensation therefor, was taken up and read first and second times.

THIRD READING OF BILLS

On motion of Senator Stoddard, House Joint Resolution No. 1, a joint resolution fixing the compensation of the officers and employees of the Fortieth General Assembly and providing for an electrician and assistant electrician to operate the voting machine in the House of Representatives and fixing their compensation therefor was taken up and considered.

On motion of Senator Stoddard the rule was suspended whereby no bill may be read the second and third time the same day.

The resolution was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 44.

Abben	Campbell	Horchem	Romkey
Adams	Cessna	Johnston	Scott
Baird	Dutcher	Kimberly	Schaff
Banta	Ethell	McIntosh	Shane
Bergman	Fulton	Mantz	Shinn
Bowman	Gilchrist	Nelson	Slosson
Brookhart	Goodwin	Newberry	Smith
Brookins	Hale	Olson	Stoddard
Browne	Hartman	Perkins	Tuck
Buser	Haskell	Price	White
Caldwell	Holdoegel	Reed	Wichman

Nays, none.

Absent or not voting, 6.

Chase	Mead	Snook	Thurston
Darting	Rees		

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

ELECTION OF FILE CLERK

Senator Reed, chairman of the patronage committee, presented the name of Glen L. Steinhilber for the position of file clerk. The report was adopted and Glen L. Steinhilber was declared elected file clerk and duly sworn.

Glen L. Steinhilber presented his resignation as clerk for Senator Newberry, which was accepted.

CORRECTION OF THE JOURNAL

The Journal of January 9th was corrected and approved.

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

AFTERNOON SESSION

Senate met pursuant to adjournment, President Hammill presiding.

HOUSE RESOLUTION CONSIDERED

Senator Stoddard called up for consideration the following House concurrent resolution:

Be It Resolved by the House, the Senate concurring, That the joint committee on patronage of the Senate and House, be authorized to nominate such additional employees other than committee clerks as may be deemed necessary for the work of the session; that the joint committee fill the positions and fix the compensation of such employees, so nominated.

Senator Price offered the following amendment: Amend by striking out the period at the end thereof and adding the words, "subject to the approval of the House and Senate."

On the question, "Shall the amendment be adopted?" the vote was:

Ayes—33

Abben	Gilchrist	Nelson	Slosson
Bergman	Goodwin	Newberry	Snook
Brookins	Hartman	Price	Stoddard
Browne	Horchem	Rees	Thurston
Buser	Johnston	Romkey	White
Campbell	Kimberly	Scott	Wichman
Cessna	McIntosh	Schaff	
Ethell	Mantz	Shane	
Fulton	Mead	Shinn	

Nays—1

Bowman

Absent or not voting—16

Adams	Caldwell	Hale	Perkins
Baird	Chase	Haskell	Reed
Banta	Darting	Holdoegel	Smith
Brookhart	Dutcher	Olson	Tuck

The amendment having received a constitutional majority was declared to have been adopted by the Senate.

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

Ayes—35.

Abben	Browne	Gilchrist	McIntosh
Baird	Caldwell	Goodwin	Mantz
Bergman	Campbell	Hartman	Mead
Bowman	Cessna	Horchem	Newberry
Brookhart	Ethell	Johnston	Price
Brookins	Fulton	Kimberly	Reed
Rees	Schaff	Slosson	Thurston
Romkey	Shane	Snook	Wichman
Scott	Shinn	Stoddard	

Nays—0.

Absent or not voting—15.

Adams	Darting	Holdoegel	Smith
Banta	Dutcher	Nelson	Tuck
Buser	Hale	Olson	White
Chase	Haskell	Perkins	

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

RESOLUTION FOR COMMITTEE LIST

Senator Stoddard offered the following resolution:

Concurrent resolution directing the Secretary of the Senate and Chief Clerk of the House to have printed in pamphlet form a list of the officers and standing committees of the Senate and House.

Be It 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 Chief 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; and one copy, with his name printed thereon, to be furnished each officer and member.

By unanimous consent the resolution was taken up and considered. Senator Stoddard moved its adoption.

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

Ayes—40.

Abben	Cessna	McIntosh	Schaff
Balrd	Ethell	Mantz	Shane
Bergman	Fulton	Mead	Shinn
Bowman	Gilchrist	Nelson	Slosson
Brookhart	Goodwin	Newberry	Snook
Brookins	Hale	Price	Stoddard
Browne	Holdoegel	Reed	Thurston
Buser	Horchem	Rees	Tuck
Caldwell	Johnston	Romkey	White
Campbell	Kimberly	Scott	Wichman

Nays—none.

Absent or not voting—10.

Adams	Darting	Haskell	Smith
Banta	Dutcher	Olson	
Chase	Hartman	Perkins	

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

REPORT OF COMMITTEE ON COMMITTEE CLERKS

Senator Horchem presented the following report, and moved its adoption:

MR. PRESIDENT: Your committee to whom was referred the examination for clerkships in the Senate, beg leave to report that they have found the following to be proficient and recommend that he be chosen:

E. A. Beck, Senator Newberry.

B. J. HORCHEM, *Chairman*.

The report was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Haskell for the remainder of day on request of Senator Mead.

Senator Cessna moved that a committee of three be appointed to escort ex-Senator Foscett to the desk. Carried. The President appointed as such committee Senators Cessna, Slosson and Price. Senator Foscett addressed a few brief remarks to the Senate.

REPORT OF BOARD OF CONTROL

To the General Assembly of the State of Iowa:

GENTLEMEN: We submit herewith a report as required by Section 2 of Chapter 298 of the laws of the Thirty-ninth 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, 1922:

IOWA SOLDIERS' HOME, MARSHALLTOWN, IOWA

Balances December 31, 1922:

Support	\$ 32,520.20	
Contingent and repair	12,338.99	
Lectures, moving pictures, books, periodicals, music and band expense	1,048.20	
Total balances		\$ 45,907.39

Transfer of funds as follows:

From storm sewer	\$ 975.00	
To contingent and repair		975.00

Returned to general revenue fund of the state as follows:

From building for stores	\$ 5,000.00	
From spur track	28,000.00	\$ 28,000.00

Total funds returned and diverted

\$ 28,975.00

SOLDIERS' ORPHANS' HOME, DAVENPORT, IOWA

Balances December 31, 1922:

Support	\$ 4.32	
Gymnasium apparatus	13.97	
Land and buildings	143.81	
Chaplain, lectures, amusements, books and peri- odicals	60.96	
Dental, oculist, aurist, nose and throat treat- ments and necessary supplies	709.03	
Transportation of children	2,076.03	

Total balances

\$ 3,008.12

No funds transferred.

INSTITUTION FOR FEEBLE-MINDED CHILDREN, GLENWOOD, IOWA

Balances December 31, 1922:

Support	\$ 11,077.78	
Building for bakery and equipment (additional) ..	163.68	
Chaplain, lectures, amusements, books and peri- odicals	950.77	
Contingent and repair	2,376.09	
Laundry machinery	5,199.00	
Repairs and extensions to steam heating	578.51	

Total balances

\$ 20,345.83

Transfer of funds as follows:

Building for bakery and equipment, additional ..	\$ 1,450.73	
To contingent and repair		\$ 1,450.73

Total funds diverted

\$ 1,450.73

STATE SANATORIUM FOR THE TREATMENT OF TUBERCULOSIS,
OAKDALE, IOWA

Balances December 31, 1922:

Support	\$ 18,585.80	
Switchboard and cable	1,437.70	
Completion and equipment of laboratory building (additional)	63,915.11	
Chaplain, lectures, amusements, books, etc.	178.17	
Contingent and repair	10,344.26	
Addition to hospital building	167,511.58	
Tunnels and pipe connections	14,626.60	

Total balances

\$276,599.22

No funds transferred.

TRAINING SCHOOL FOR BOYS, ELDORA, IOWA

Balances December 31, 1922:

Support	\$ 17.34
Wagon shed	500.00
Tunnels, pipe covering and equipment	2,500.00
Extending water system	1,000.00
Chaplain, lectures, amusements, etc.	157.55
Contingent and repair	3,743.41
Transportation of boys	1.46
Purchase of land	547.37
Equipment and supplies for educational department	908.94
Mangle and laundry equipment	4,642.25
Steam boilers and equipment	7,446.38
Sanitary toilet and equipment	116.28

Total balances

\$ 21,580.95

Transfer of funds as follows:

Drain tile	\$ 28.39
Band instruments and supplies	37.48
Administration building repairs	349.31
Athletic fund and reward of merit	6.78
Gymnasium and physical building	879.68
Repairs on cottages and new lavatories	474.61

To contingent and repair fund

\$ 1,776.23

Returned to general revenue fund:

Boys' cottage and furnishings	\$ 20,000.00
Completion of boys' cottage and furnishings	5,000.00

Total funds returned to general revenue of the state

\$ 25,000.00

Total funds returned and diverted

\$ 26,776.23

TRAINING SCHOOL FOR GIRLS, MITCHELLVILLE, IOWA

Balances December 31, 1922:

Support	\$ 1,501.39
Machine shop	300.00
Gymnasium equipment	500.00
Dental, oculist, aurist, nose and throat	1,228.16
Cottage and equipment	267.20
Furnishings for new cottage	2,314.96
Boiler and connections	323.88
Chaplain	131.24
Contingent and repair	8,530.67
Furniture to replace old	597.20
Library books, periodicals, etc.	624.78
Music and musical instruments	863.12
Rebuilding and fireproofing two cottages	3,372.86
Renewing tunnel pipe and pipe covering and converting to vacuum system	121.66
Transportation of girls	565.67
Wagon scales	181.86

Total balances

\$ 21,425.65

Transfer of funds as follows:

Remodelling old laundry building	\$ 6.42
To support fund	6.42

Total funds diverted

\$ 6.42

MT. PLEASANT STATE HOSPITAL, MT. PLEASANT, IOWA

Balances December 31, 1922:

Support	\$ 84,072.92
Electric switchboard and connections	2,000.00
Laundry building and equipment	436.67
Drain tile	190.75
Contingent and repair	13,686.02
Blacksmith and repair shop	528.98
Boilers and stokers	6,507.09

Total balances

\$107,422.43

Transfer of funds as follows:

Hose and fire equipment.....	\$ 404.23	
Sewer main building.....	669.00	
Improving sewage disposal plant.....	161.43	
Railroad switch	337.48	
Electric wiring and fixtures, main building.....	1,510.20	
Beds, bedding and wall finishing.....	331.72	
Coal crushing machinery.....	424.49	
Mechanical stokers and repairs in boiler room...	3,970.82	
	<hr/>	
To contingent and repair.....		\$ 7,809.37
Total funds diverted.....		<hr/> \$ 7,809.37

INDEPENDENCE STATE HOSPITAL, INDEPENDENCE, IOWA

Balances December 31, 1922:

Support	\$ 86,620.26
State's portion of drainage district (additional).....	3,691.82
Tubercular hospital	54.85
Contingent and repair.....	10,517.14

Total balances \$100,884.17

Transfer of funds as follows:

From railway switch.....	\$ 3,343.00	
To contingent and repair.....		\$ 3,343.00
		<hr/>
Total funds diverted.....		\$ 3,343.00

CLARINDA STATE HOSPITAL, CLARINDA, IOWA

Balances December 31, 1922:

Support	\$ 68,890.54
Tubercular hospital	11,501.07
Tubercular hospital and equipment (additional).....	15,000.00
Contingent and repair.....	3,818.23
Plumbing and fixtures.....	4,369.07

Total balances \$103,578.91

Transfer of funds as follows:

From books, periodicals and binding.....	\$ 2.29	
To contingent and repair fund.....		\$ 2.29
		<hr/>
Total funds diverted.....		\$ 2.29

CHEROKEE STATE HOSPITAL, CHEROKEE, IOWA

Balances December 31, 1922:

Support	\$ 29,163.95
Completion of increase and improvement of water supply	8,561.74
Contingent and repair.....	13,065.40
Plumbing renewals	26,857.51

Total balances \$ 77,648.60

Transfer of funds as follows:

From books, periodicals, pictures, etc.....	\$ 3.65	
From root cellar	1,115.00	
	<hr/>	
To contingent and repair.....		\$ 1,118.55
		<hr/>
		\$ 1,118.55

Transferred to general revenue fund:

From completion of paving highway.....	\$ 156.55	
To general revenue fund of the state.....		\$ 156.55
		<hr/>
Total funds diverted and returned to general revenue		\$ 1,275.10

STATE HOSPITAL FOR INEBRIATES, KNOXVILLE, IOWA

Balances December 31, 1922:

Support \$ 56,755.24

Total balances

\$ 56,755.24

Transfer of funds as follows:

To general revenue fund of the state:

From support fund	\$ 22,908.80
From laboratory equipment	300.00
From contingent and repair	1,777.38
From renovating and replacing furniture	500.00
From books and periodicals	207.86
From fire station and equipment	1,200.00
From generating unit and dynamo room	3,000.00
From sewage disposal plant	4,905.50
From ice house	700.00
From paving	163.27
From establishing and maintaining industries	12,337.09

Total funds transferred to general revenue..... \$ 50,000.00

STATE HOSPITAL AND COLONY FOR EPILEPTICS, WOODWARD, IOWA

Balances December 31, 1922:

Support	\$ 13,456.07
Green house and garage combined	3,500.00
Poultry house	500.00
New tunnels	14.50
Contingent and repair	1,932.80
Water	2,743.14
Chapel, assembly hall, library and school building	1,434.37
Dormitory for employees and furnishings	14,334.14
Granary and corn crib	500.00
Pictures, library books, newspapers and periodicals	404.90

Total balances

\$ 38,819.72

Transfer of funds as follows:

From horse barn	\$ 6.38
From fencing	19.32
From cottage for tubercular patients	804.13
From root cellar	106.49

To contingent and repair..... \$ 936.32

Total funds diverted..... \$ 936.32

MEN'S REFORMATORY, ANAMOSA, IOWA

Balances December 31, 1922:

Support	\$ 47,205.80
Carpet loom	120.00
Feed water heater	1,000.00
Repair of pipe organ	200.00
Gate receipts	449.76
Fireproofing floor, ceiling and roofs	5,000.00
Heating equipment, industrial building .....	.16
Shafting, etc., industrial building	450.00
Motors and wire industrial building	980.00
Contingent and repair	378.79
Lectures, amusements, books and periodicals	290.02
Transportation of prisoners and gift money	4.38
Hog house	412.15
Machinery and storage house	757.15
Establishing and maintaining industries	60,673.49

Total balances

\$ 117,921.68

Transfer of funds as follows:

From tools and equipment for manual training	\$ 1,444.65
From slaughterhouse	1,015.00
From gate receipts	872.89

To support fund..... \$ 3,332.54

\$ 3,332.54

Returned to general revenue:

Establishing and maintaining industries	\$ 31,935.00
To general revenue fund of the state	\$ 31,935.00

Total funds returned and diverted..... \$ 35,267.54

STATE PENITENTIARY, FORT MADISON, IOWA

Balances December 31, 1922:

Support	\$ 58.52
Fencing	95.51
Gate receipts	1,902.97
Contingent and repair	10,519.89
Dental, oculist, aurist, nose and throat treatments and necessary supplies	414.67
Lectures and concerts	728.71
Transportation of prisoners	2,034.28
Cell house and equipment	99,016.84
Establishing and maintaining industries	53,851.25

Total balances \$168,622.64

Transfer of funds as follows:

From locks for cells	\$ 1,008.76
From re-roofing shops	15.82

To contingent and repair fund..... \$ 1,024.58

From warden's house..... \$ 529.96

To support fund..... 529.96

Returned to general revenue fund:

From furnace, warden's house..... \$ 350.00

From establishing and maintaining industries (chair industry receipts)..... 152,500.00

To general revenue fund of the state..... \$152,850.00

Total funds returned and diverted..... \$154,404.54

THE WOMEN'S REFORMATORY, ROCKWELL CITY, IOWA

Balances December 31, 1922:

Support	\$ 18,074.58
Furniture and furnishings	716.30
Laundry equipment	1,401.01
Transfer of females	670.24
Lectures, amusements, books and periodicals	706.00
Contingent and repair	9,614.00

Total balances \$ 31,182.13

Transfer of funds as follows:

From additional to install sewage and disposal plant	\$ 46.01
From fencing and drainage	479.29
From building walks, grades, drives and planting	33.50
From cold storage and equipment	65.96

To contingent and repair fund..... \$ 624.76

Returned to general revenue fund of the state:

From cottages and furnishings..... \$ 33,668.70

To general revenue fund..... \$ 33,668.70

Total funds returned and diverted..... \$ 34,293.46

JUVENILE HOME, TOLEDO, IOWA

Balances December 31, 1922:

Support	\$ 15.76
Electric wiring and lighting from commercial sources	164.81
Farm implements, tools, etc.	5.97
Fences, gates, walks and roads	2,329.27
Poultry house	564.65
Chaplain, lectures, amusements, books and periodicals	1,110.45
Contingent and repair	5,772.14
Dental, oculist, aurist, nose and throat treatments and necessary supplies	171.16
Sewer, main and continuation to outlet	2,795.99
Silo	75.00
Storage and coal shed	2,000.00
Superintendent's cottage	29.70

Total balances \$ 15,034.89

Transfer of funds as follows:

From horse and dairy barn	\$ 937.45
From root cellar	836.14

To contingent and repair..... \$ 1,773.59

Total funds diverted..... \$ 1,773.59

GENERAL APPROPRIATION SEC. 18, CHAP. 298, 39TH G. A.

Balances December 31, 1922:

Balance in fund..... \$ 15,963.13

RECAPITULATION OF BALANCES

Name of Institution	Support Fund Balances	Special Fund Balances
Iowa Soldiers' Home.....	\$ 32,520.20	\$ 13,387.19
Soldiers' Orphans' Home.....	4.32	3,003.80
Institution for feeble-minded children.....	11,077.78	9,268.05
State sanatorium for the treatment of tuberculosis..	18,585.80	258,013.42
Training school for boys.....	17.34	21,563.64
Training school for girls.....	1,501.39	19,923.26
Mt. Pleasant state hospital.....	84,072.92	23,349.51
Independence state hospital.....	86,620.26	14,263.91
Clarinda state hospital.....	88,890.54	34,688.37
Cherokee state hospital.....	29,163.95	48,484.65
State hospital for inebriates.....	56,755.24	.....
State hospital and colony for epileptics.....	13,456.07	25,363.65
Men's reformatory.....	47,205.80	70,715.88
State penitentiary.....	58.52	168,564.12
The women's reformatory.....	18,074.58	13,107.55
Juvenile home.....	15.75	15,019.14
General appropriation.....	.....	15,963.13
Totals.....	\$468,020.46	\$754,679.27

RECAPITULATION OF FUNDS TRANSFERRED AND RETURNED TO
GENERAL REVENUE.

Name of Institution	Transferred	Returned to General Revenue
Iowa soldiers' home.....	\$ 975.00	\$ 28,000.00
Institution for feeble-minded children.....	1,450.73	.....
Training school for boys.....	1,776.23	25,000.00
Training school for girls.....	6.42	.....
Mt. Pleasant state hospital.....	7,809.37	.....
Independence state hospital.....	3,343.00	.....
Clarinda state hospital.....	2.29	.....
Cherokee state hospital.....	1,118.55	1,275.10
State hospital for inebriates.....	.....	50,000.00
State hospital and colony for epileptics.....	936.32	.....
Men's reformatory.....	3,332.54	31,935.00
State penitentiary.....	1,554.54	152,850.00
Women's reformatory.....	624.76	33,668.70
Juvenile home.....	1,773.59	.....
Totals.....	\$ 24,703.34	\$322,728.80

BOARD OF CONTROL OF STATE INSTITUTIONS
By J. H. STRIER, *Chairman*.

THE STATE UNIVERSITY OF IOWA, REPORT OF THE SECRETARY

To the Members of the Fortieth General Assembly of the State of Iowa:

I submit herewith the Special Report of the State University of Iowa for the biennium beginning July 1, 1920, and ending June 30, 1922, in accordance with the provisions of Chapter 104, Acts of the Thirtieth General Assembly.

Respectfully submitted,

W. H. BATES,
Secretary of the University.

**THE STATE UNIVERSITY OF IOWA, SUMMARY OF RECEIPTS AND DISBURSEMENTS FOR THE BIENNIUM
July 1, 1920, to June 30, 1922**

Funds	Receipts			Total for the Biennium	Disbursements		Total Dis- bursements for the Biennium	Balance June 30, 1922
	Balance July 1, 1920	1920-21	1921-22		1920-21	1921-22		
FUNDS FOR THE ERECTION, EQUIPMENT, IM- PROVEMENT AND REPAIR OF BUILDINGS—								
Building Fund.....	\$ 767.35	\$ 155,831.83	\$ 156,598.68	\$ 312,430.46	\$ 767.35	\$ 176,387.07	\$ 177,104.42	\$ 20,506.74*
Nurses' Home Fund.....	580.90	100,388.50	45,086.90	145,354.09	85,124.49	44,960.99	130,115.48	16,238.61
Armory Fund.....	12,632.21	36,592.83	44.94	49,269.98	49,106.98	104.00	49,269.98	
Repair and Cont. Fund.....		52,018.37	98,536.57	150,552.94	52,016.37	98,536.57	150,552.94	
Equipment and Supplies.....	22,307.76	30,884.56	15,875.05	69,067.37	10,683.19	7,800.07	18,483.26	50,584.11
Equipment of New Buildings Fund.....	82.44	50,551.99	76,493.53	127,117.16	33,514.92	74,870.07	108,084.99	18,432.97
Old Capitol Building Fund.....			25,018.46	25,018.46		21,235.26	21,235.26	3,783.20
Sub-total.....	\$ 36,670.36	\$ 270,432.34	\$ 416,876.78	\$ 723,979.48	\$ 231,572.30	\$ 423,874.08	\$ 655,446.38	\$ 68,533.15
EDUCATIONAL SUPPORT FUND.....	\$ 46,002.57	\$ 1,429,558.04	\$ 1,517,875.09	\$ 2,993,435.70	\$ 1,493,725.86	\$ 1,765,660.67	\$ 3,259,386.53	\$ 265,950.83*
FUNDS FOR SPECIAL PURPOSES—								
Library Fund.....	\$ 3,068.10	\$ 32,908.02	\$ 42,608.96	\$ 78,600.03	\$ 34,129.45	\$ 39,390.22	\$ 73,519.67	\$ 5,080.41
University Extension Fund.....	1,954.07	50,820.50	58,179.20	110,953.77	47,384.04	56,370.11	103,754.15	7,199.62
Paving and Sidewalks.....	2,056.38	12,518.60	20,000.00	34,574.98	10,616.23	20,746.41	31,362.64	\$ 212.34
Campus Lighting Fund.....			5,000.00	5,000.00		273.18	273.18	4,726.82
Grading and Plants Fund.....			10,000.00	10,000.00		4,840.04	4,840.04	5,159.96
Special Land Fund.....	4,689.51	7,438.00	1,738.75	13,866.26	698.52	10,457.84	11,156.36	2,709.90
Donated Land Fund.....	6,652.08	950.00	950.00	8,552.08		3,000.00	3,000.00	5,552.08
Library Reading Rm.....			5,000.00	5,000.00				5,000.00
Child Welfare Res.....	13,567.41	49,780.83	24,672.45	88,320.69	32,138.97	45,162.90	77,301.87	11,018.82
Nurses' Training Fund.....	6,493.13	20,569.43	11,686.70	38,729.26	5,732.13	10,639.10	16,371.23	22,358.03
University Epidemiol Lab. Fund.....	10.92	11,573.86	18,397.16	29,781.94	11,384.78	17,925.07	29,309.85	472.09
Sub-total.....	\$ 33,812.20	\$ 186,354.24	\$ 198,213.22	\$ 423,379.66	\$ 142,084.12	\$ 208,804.87	\$ 350,888.99	\$ 72,490.67
Grand total.....	\$ 121,485.13	\$ 1,886,344.62	\$ 2,132,965.09	\$ 4,140,794.84	\$ 1,367,382.28	\$ 2,398,839.57	\$ 4,265,721.86	\$ 124,927.01*

*Overdraft.

Notes:

1. The University has no balance in departments to report, since any unexpended balances in departmental appropriations revert to Support Fund at the close of each year.

2. The A. Whitney Carr Free Scholarship Interest Fund, the F. O. Lowden Oratory 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.

**THE STATE UNIVERSITY OF IOWA, STATEMENT OF CASH
RECEIPTS, FOR THE BIENNIIUM**

July 1, 1920, to June 30, 1922

**FUNDS FOR THE ERECTION, EQUIPMENT, IMPROVEMENT, AND
REPAIR OF BUILDINGS**

	1920-1921	1921-1922	
BUILDING FUND—			
State Appropriations.....		\$ 150,000.00	
Sale of Material.....		5,831.83	
			\$ 155,831.83
NURSES' HOME FUND—			
State Appropriations.....	\$ 100,000.00	45,000.00	
Sale of Material.....	886.59	86.90	
			\$ 100,886.59
ARMORY FUND—			
State Appropriations.....	35,000.00		
Sale of Material.....	1,542.83		
			\$ 36,542.83
REPAIR AND CONTINGENT FUND—			
State Appropriations.....	52,000.01	78,000.00	
Sale of Material.....	16.36	8,218.21	
Transfer from Support Fund.....		17,298.36	
			\$ 52,016.37
EQUIPMENT AND SUPPLIES FUND—			
State Appropriations.....	30,875.03		
Sale of Material.....	9.53		
			\$ 30,884.56
EQUIPMENT OF NEW BUILDING FUND—			
State Appropriations.....	50,000.00	75,000.00	
Sale of Material and Misc.....	551.99	1,483.53	
			\$ 50,551.99
OLD CAPITOL BUILDING FUND—			
State Appropriations.....		25,000.00	
Sale of Material.....		18.46	
			\$ 25,018.46
Total receipts from Fds. for Bldgs....			
	\$ 270,482.34		\$ 416,876.78
EDUCATIONAL SUPPORT FUND—			
State Appropriations.....	\$1,006,479.84	\$1,353,436.99	
Tuitions and Fees.....	24,874.91	296,708.80	
Permanent Fund Interest.....	13,550.31	17,027.17	
Interest on Daily Balances.....	8,154.21	1,845.06	
Interdepartmental and Soc. Hygiene Brd.....	14,758.52	7,461.05	
U. S. Gov. Smith-Hughes Act.....	812.50	1,032.93	
Dental Clinic Receipts.....	24,358.81	30,244.72	
Transfers from Other Funds.....	50,636.71		
Departmental Sales and Misc.....	18,927.23	10,566.02	
Sub-total.....		\$1,718,873.64	
Less transfers to Other Funds.....		200,498.55	
	\$1,429,558.04		\$1,517,873.09

CASH RECEIPTS FOR THE BIENNIUM—(Continued)

July 1, 1920, to June 30, 1922

FUNDS FOR SPECIAL PURPOSES

(Not connected with Erection, Equipment of Buildings or Educational Support Fund)

LIBRARY FUND—			
State Appropriations.....	\$ 32,499.96	\$ 41,875.02	
Sale of Publications.....	389.53	678.19	
Miscellaneous.....	13.50	55.75	
	\$ 32,903.02		\$ 42,608.96
UNIVERSITY EXTENSION FUND—			
State Appropriations.....	43,124.98	48,208.37	
Sale of Surveys and Tests.....	3,173.22	6,622.19	
Correspondence Tuitions.....	2,622.29	3,162.40	
Miscellaneous.....		186.24	
Public Health Extension Fund.....	1,900.01		
		50,020.50	58,179.20
UNIVERSITY EPIDEMIOLOGY LAB. FUND—			
State Appropriations.....	10,833.40	18,333.30	
Miscellaneous.....	540.46	63.86	
		11,373.86	18,397.15
PAVING AND SIDEWALKS FUND—			
State Appropriations.....	12,500.00		20,000.00
Miscellaneous.....	18.60		
		12,518.60	
CAMPUS LIGHTING FUND—			
State Appropriations.....			5,000.00
GRADING AND PLANTING FUND—			
State Appropriations.....			10,000.00
SPECIAL LAND FUND—			
Rents.....		7,438.00	1,738.75
LIBRARY READING ROOM—			
State Appropriations.....			5,000.00
DONATED LAND FUND—			
Rents.....		950.00	950.00
CHILD WELFARE RESEARCH STATION—			
State Appropriations.....	39,583.33	14,583.35	
W. C. T. U. Donations.....	10,000.00	10,000.00	
Miscellaneous.....	197.50	89.10	
		49,780.83	24,672.45
NURSES' TRAINING FUND—			
State Appropriations.....	31,666.66		11,666.70
Less transferred to Univ. Hosp. Inc. Fund.....	11,097.23		
		20,569.43	
Total Funds for Special Purposes.....		\$ 186,354.24	\$ 106,213.22
Grand Total Receipts.....		\$1,886,344.62	\$2,132,935.09

THE STATE UNIVERSITY OF IOWA, STATEMENT OF EXPENDITURES FROM FUNDS FOR THE ERECTION, EQUIPMENT, IMPROVEMENT AND REPAIR OF BUILDINGS, FOR THE BIENNIUM

July 1, 1920, to June 30, 1922

Funds	1920-1921	1921-1922
BUILDING FUND—		
Men's Dormitory.....	\$ 313.08	
Armory.....	454.32	\$26,299.85
Power Laboratory.....		16,727.79
Chemistry Building Site.....		45,472.34
Chemistry Building.....		87,847.59
	\$ 767.85	\$ 176,337.07
NURSES' HOME FUND.....	85,124.49	44,990.59
ARMORY FUND.....	49,165.98	104.01
REPAIR AND CONTINGENT FUND—		
General.....	7,105.46	
Maintenance of Grounds.....	2,941.45	9,814.47
Maintenance of Buildings.....	29,280.90	60,549.87
Power Plant.....	4,294.65	10,498.31
Heating Plant.....	8,100.00	15,695.10
Laundry.....	313.81	234.79
Truck Repair.....		1,744.03
	52,016.37	98,536.57
EQUIPMENT AND SUPPLIES FUND—		
General Equipment.....	7,175.63	4,577.33
Men's Dormitory.....	3,507.56	
College of Dentistry—Chairs.....		2,068.76
Electrical Supplies.....		1,188.98
	10,688.19	7,800.07
EQUIPMENT NEW BUILDING FUND—		
Heating Plant Equipment.....	7,594.32	
Athletic Field Fence.....	2,720.46	
College of Applied Science.....	6,931.31	14,709.71
Hydro Test Laboratory.....	2,957.94	6,729.97
Chemistry Equipment.....	6,099.29	14,080.76
U. A. Building.....	6,178.53	2,091.31
Nurses' Home.....		7,415.48
Department of Building and Grounds.....		21,111.16
Misc. Departmental Equipment.....	1,963.07	8,731.09
	33,414.92	74,870.07
Old Capitol Building.....		21,235.26
Total Expenditures for Funds for Erections of Buildings.....	\$ 231,572.30	\$ 428,874.03

**THE STATE UNIVERSITY OF IOWA, STATEMENTS OF EXPENDITURES FROM EDUCATIONAL SUPPORT FUND,
FOR THE BIENNIIUM**

July 1, 1920, to June 30, 1922

Department	Total		Salaries		Other Operating Expense		Equipment and Other Capital Expenditures	
	1920-21	1921-22	1920-21	1921-22	1920-21	1921-22	1920-21	1921-22
ADMINISTRATION, GENERAL AND PHYSICAL PLANT								
Administration	\$ 63,448.36	\$ 69,262.27	\$ 51,749.65	\$ 55,712.51	\$ 11,000.39	\$ 13,284.27	\$ 606.32	\$ 265.49
Library	21,708.51	24,001.20	16,753.27	18,523.36	4,036.01	4,882.96	919.53	504.88
Buildings and Grounds	230,531.68	237,455.75	6,120.50	8,175.74	224,711.18	227,644.27		1,635.74
Student Health	14,480.59	17,132.96	11,785.60	13,981.82	2,367.13	3,185.12	327.86	16.04
Inventory		2,307.25		1,485.00		822.25		
Purchase of Land		103,773.84						103,773.84
General Expenditures	81,418.10	63,130.63			76,554.81	54,823.92	4,963.29	8,306.71
Engineering Small Tool Fund	289.29				289.29			
Ophthalmology and Otology	3,788.48				3,788.48			
Total Administration, General and Physical Plant	\$ 415,965.31	\$ 517,063.92	\$ 86,409.02	\$ 97,828.43	\$322,747.29	\$304,642.79	\$ 6,809.00	\$114,592.70
TEACHING AND RESEARCH—								
College of Liberal Arts	\$ 474,631.02	\$ 501,748.45	\$ 422,195.47	\$ 446,622.66	\$ 45,338.04	\$ 48,153.68	\$ 7,097.51	\$ 6,967.11
College of Education	72,185.03	76,850.29	61,062.50	65,520.00	7,625.95	9,916.11	3,496.58	1,414.18
College of Commerce	34,864.29	67,629.83	31,259.66	63,600.00	1,409.99	3,870.60	2,194.64	159.23
College of Applied Science	85,345.15	94,292.15	80,010.00	88,799.63	5,012.81	4,392.12	322.34	1,100.40
College of Law	40,535.73	44,774.11	38,520.00	42,140.00	1,758.51	2,590.64	257.22	48.57
College of Medicine	152,464.16	183,390.35	125,406.07	137,622.82	19,941.30	29,741.97	7,116.79	16,025.56
College of Dentistry	90,233.09	125,720.05	67,460.00	87,867.46	22,503.23	27,334.03	269.86	10,518.50
College of Pharmacy	16,776.22	16,859.69	11,550.00	11,550.00	4,941.00	4,769.94	225.22	539.75
Graduate College	32,732.53	41,395.04	22,751.64	27,787.50	9,738.50	13,807.54	242.39	
School of Music	18,424.73	24,760.00	16,972.20	24,200.00	1,452.53	560.00		
Summer Session	48,416.82	61,972.35	42,143.35	57,226.00	6,208.32	4,748.35	65.15	
INTERDEPARTMENTAL AND SOCIAL HYGIENE BOARD—								
Pathology and Bacteriology	2,395.85	1,959.44	2,132.83	1,910.00	263.02	49.44		
Education and Medicine	7,048.67	7,250.00	7,048.67	7,250.00				
Epidemiology Laboratory	1,707.26		1,363.32		115.16		228.78	
Total Teaching and Research	\$1,077,760.55	\$1,249,596.75	\$ 929,875.71	\$1,062,096.07	\$126,308.36	\$149,732.32	\$ 21,576.48	\$ 86,708.86
Grand Total Support Funds	\$1,493,725.86	\$1,765,860.67	\$1,016,284.73	\$1,159,924.50	\$449,055.65	\$454,375.11	\$ 28,385.48	\$151,961.06

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**THE STATE UNIVERSITY OF IOWA, STATEMENT OF EXPENDITURES FROM SPECIAL FUNDS, FOR THE BIENNIUM
July 1, 1920, to June 30, 1922**

	1920-1921		1921-1922	
LIBRARY FUND—				
General Library—Books and Publications	\$ 28,664.42		\$ 33,251.12	
Law Library—Books and Publications	5,445.02		6,136.10	
		\$ 34,129.45		\$ 39,390.22
UNIVERSITY EXTENSION FUND—				
Salaries	26,838.00		29,566.12	
General	6,855.86		15,506.13	
Conferences	1,998.27		2,270.50	
Bulletins	1,828.80		3,227.13	
Library	123.18		253.19	
Contingent	3,810.06		5,514.95	
Public Health Extension	6,984.87			
		47,384.04		56,370.11
UNIVERSITY EPIDEMIOLOGY FUND				
Salaries	9,143.91		13,275.57	
General Expense	2,240.87		14,699.50	
		11,384.76		17,925.07
PAVING AND SIDEWALKS FUND		10,616.23		10,746.41
CAMPUS LIGHTING FUND				273.18
GRADING AND PLANTING FUND				4,840.04
SPECIAL LAND FUND		698.52		10,457.84
DONATED LAND FUND				3,000.00
CHILD WELFARE RESEARCH STATION FUND—				
Salaries	25,808.61		32,803.31	
Supplies	2,760.08		3,861.48	
Equipment	3,236.06		3,261.34	
Quarters			10.97	
Lectures and Conferences	86.84		425.42	
Surveys and Field Work	687.96		1,915.55	
Building Repairs			2,811.80	
		52,136.97		45,162.90
NURSES' TRAINING FUND—				
Salaries	4,340.00		9,210.97	
General Expense	1,302.10		1,422.13	
		5,732.13		10,639.16
Grand Total Expenditures Special Funds		\$142,064.12		\$208,804.87

THE STATE UNIVERSITY OF IOWA, SUMMARY OF RECEIPTS AND DISBURSEMENTS—INCOME FUND, FOR THE
BIENNIIUM

July 1, 1920, to June 30, 1922

Accounts	Balance July 1, 1920	Receipts		Total	Disbursements		Total Disburse- ments	Balance June 30, 1922
		1920-21	1921-22		1920-21	1921-22		
University Hospital.....		\$ 718,073.73	\$ 754,419.83	\$1,472,493.56	\$ 717,820.01	\$ 754,261.72	\$1,472,081.73	\$ 411.83
Currier Hall.....	\$15,969.91	76,213.42	78,310.38	170,488.71	60,017.06	68,862.08	128,869.16	41,614.55
Men's Dormitory.....		64,941.00	49,553.51	114,494.51	81,680.54	46,787.96	128,468.49	13,978.98*
University Store House.....	2,784.78	358,376.49	312,871.77	674,033.04	349,866.96	300,865.78	650,722.74	23,310.80
University Bakery.....		7,903.68	13,722.83	21,626.51	21,107.63	10,036.13	31,142.76	9,516.25*
University Multigraph.....		3,606.70	5,710.15	9,316.85	3,916.66	4,410.29	8,326.96	989.90
Fine Art Sales.....		1,728.85	2,669.30	4,398.15	1,447.77	2,706.88	4,154.65	233.50
Law Loan Book Account.....	824.27	429.63	1,328.00	2,581.90	766.35	264.45	1,030.80	1,551.10
Tuitions and Fees.....			184,792.69	184,792.69		15,707.21	15,707.21	169,085.48
U. S. Veteran's Bureau.....		4,943.30	15,653.29	20,596.59	11,679.34	20,836.11	32,515.45	11,918.86*
Grand Total.....	\$19,568.96	\$1,236,216.80	\$1,419,021.75	\$2,674,807.51	\$1,248,292.34	\$1,224,727.80	\$2,473,019.94	\$201,787.57

*Overdraft.

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**THE STATE UNIVERSITY OF IOWA, CASH RECEIPTS—INCOME
FUND, FOR THE BIENNium**

July 1, 1920, to June 30, 1922

	1920-1921	1921-1922
UNIVERSITY HOSPITAL—		
Perkins and Haskell-Klaus cases.....	\$509,221.87	\$617,157.74
Refund of cash advanced for Perkins and Haskell-Klaus cases.....		4,506.54
General Receipts—Main Hospital.....	184,972.11	115,350.95
Children's Hospital Receipts.....		17,404.60
From U. S. Government—U. S. P. H. cases.....	23,879.75	
	\$718,073.73	\$754,419.83
CURRIER HALL—		
Room Rent.....	24,404.17	23,640.55
Board.....	51,775.19	49,593.03
Miscellaneous.....	34.06	73.80
	76,213.42	73,307.38
MEN'S DORMITORY—		
Room Rent.....	27,578.10	18,839.53
Board.....	35,940.18	29,415.21
Miscellaneous.....	1,422.72	1,298.47
	64,941.00	49,553.21
UNIVERSITY STORE HOUSE—		
Cash Receipts.....	3,908.77	12,820.40
Sales to University Departments.....	354,467.72	300,051.37
	358,376.49	312,871.77
UNIVERSITY BAKERY—		
Sales to University Departments.....	7,903.68	13,722.83
UNIVERSITY MULTIGRAPH—		
Service to University Departments.....	3,606.70	5,710.16
FINE ARTS SALES—		
From Students for Supplies Used.....	1,728.86	2,659.80
LAW LOAN BOOK ACCOUNT—		
From Rental of Law Books.....	429.63	1,828.00
TUITION AND FEES.		184,792.09
U. S. VETERANS' BUREAU—		
From U. S. Government.....	4,943.30	15,653.29
Grand Total.....	\$1,236,216.80	\$1,419,021.75

**THE STATE UNIVERSITY OF IOWA, DISBURSEMENTS—INCOME
FUND, FOR THE BIENNIUM**

July 1, 1920, to June 30, 1922

	1920-1921	1921-1922
UNIVERSITY HOSPITAL—		
Administration	\$ 28,371.11	\$ 33,722.33
Professional Care of Patients	54,100.93	60,322.33
Orderlies	17,515.80	25,563.19
Steward's Department	250,007.40	229,769.25
Housekeeping	127,133.70	116,940.41
Medical and Surgical Supplies	63,093.34	59,722.81
X-Ray	35,511.55	27,176.32
Hospital School	4,133.91	5,283.06
Orthopedic Department	16,985.82	15,581.42
Pathology Laboratory	1,235.34	921.99
General House and Property Expense	46,957.94	38,219.74
Traveling Expense for Escorts of State Cases	60,149.48	116,202.52
Ambulance	3,708.69	4,316.82
	\$717,820.01	\$754,261.72
CURRIER HALL—		
House Operation	16,515.72	21,014.79
Dining Room	40,639.99	37,216.60
Building and Ground Improvements	2,861.40	7,394.66
Furniture and Equipment		3,226.03
	60,017.68	68,652.08
MEN'S DORMITORY—		
House Operation	27,091.67	19,824.45
Dining Room	41,818.46	22,202.05
Equipment		356.23
Building Improvements	12,170.41	4,292.88
Grounds		112.34
	61,080.54	46,787.95
UNIVERSITY STORE HOUSE—		
Merchandise	331,218.17	288,046.39
Operating Expense	12,361.56	12,036.92
Equipment		782.47
Permanent Improvements	6,277.23	
	349,856.96	300,865.78
UNIVERSITY BAKERY—		
Operating Expense	\$ 8,726.32	10,035.13
Equipment	12,281.31	
	21,107.63	
UNIVERSITY MULTIGRAPH—		
Operating Expense	3,916.66	4,410.29
FINE ART SALES—		
Supplies and Miscellaneous	1,447.77	2,706.86
LAW LOAN BOOK ACCOUNT—		
New Books and Rebinding Old Sets	766.35	264.45
TUITION AND FEES—		
Construction of Hospital Annex		15,707.21
U. S. VETERANS' BUREAU—		
For Books, Supplies, Fees and Tui- tions	11,679.34	20,836.11
Grand Total	\$1,248,292.84	\$1,234,727.60

THE STATE UNIVERSITY OF IOWA, FUNDS AVAILABLE FROM STATE APPROPRIATIONS

July 1, 1920, to July 1, 1921

	36th G. A. Chap. 305 Sec. 1	37th G. A. Chap. 282 Sec. 1	38th G. A. Chap. 375 Sec. 1	Total Received	In Treasury	Total Appropriation
From State Appropriation—						
Educational Support Fund.....	\$492,591.66		\$108,333.33	\$ 600,924.99	\$46,225.05	\$ 647,150.04
College of Applied Science, Etc., Fund.....	79,741.68			79,741.68		79,741.68
College of Education.....	23,333.36		11,666.66	35,000.04		35,000.04
College of Fine Arts.....	4,250.00		7,063.34	11,333.34		11,333.34
College of Dentistry.....	27,679.18		11,666.66	39,345.86		39,345.86
College of Medicine.....			58,333.36	58,333.36		58,333.36
Graduate College.....	12,750.00		28,333.34	41,083.34		41,083.34
Summer Session.....	16,000.00		20,000.00	36,000.00		36,000.00
Administration.....	7,202.50		9,333.36	16,535.86		16,535.86
Building and Grounds.....	13,000.00		16,791.70	29,791.70		29,791.70
School of Commerce.....			35,416.67	35,416.67		35,416.67
Soldier Tuition.....			24,913.00	24,913.00		24,913.00
	\$676,608.38		\$331,871.46	\$1,008,479.84	\$46,225.05	\$1,054,704.89
Repair and Contingent.....	\$ 37,916.70		\$ 14,063.31	\$ 52,000.01		\$ 52,000.01
Equipment and Supplies.....	19,791.70		11,063.33	30,875.03	\$ 1,625.05	\$2,500.06
Library.....	18,958.33		13,541.66	32,499.99	2,500.05	35,000.04
University Extension.....	19,833.32			19,833.32	1,416.70	21,250.02
University Extension Pub. Health Extension.....			23,291.66	23,291.66	1,791.70	25,083.36
Epidemiology Fund.....	5,416.70		5,416.70	10,833.40		10,833.40
Nurses' Training.....			31,666.66	31,666.66	1,666.70	33,333.36
Child Welfare (Chap. 282, Sec. 2).....		\$39,583.33		39,583.33	2,063.35	41,646.68
	\$778,525.13	\$39,583.33	\$430,954.78	\$1,249,063.24	\$57,308.60	\$1,306,371.84
From State Appropriation for Buildings—						
Nurses' Home (38th G. A. Chap. 403, Sec. 1).....			\$100,000.00	\$ 100,000.00		\$ 100,000.00
Armory (37th G. A. Chap. 261, Sec. 2).....			35,000.00	35,000.00		35,000.00
From State Appropriations for Special Purposes (38th G. A. Chap. 375, Sec. 2)—						
Equipment New Buildings.....			50,000.00	50,000.00		50,000.00
Paving and Sidewalks, Campus.....			12,500.00	12,500.00		12,500.00
	\$778,525.13	\$39,583.33	\$482,454.78	\$1,440,503.24	\$57,308.60	\$1,508,371.84

THE STATE UNIVERSITY OF IOWA, FUNDS AVAILABLE FROM STATE APPROPRIATIONS

	36th G. A. Chap. 305 Sec. 1	37th G. A. Chap. 232 Sec. 2	38th G. A. Chap. 375 Sec. 1	39th G. A. Chap. 287 Sec. 1	Total Received	Warrants in Hands of Treasurer Uncashed	Total Appropriations
Educational Support Fund.....	\$610,358.35		\$ 8,833.85	\$ 834,745.38	\$1,353,436.99	\$289,445.06	\$1,642,882.05
Repair and Contingent Fund.....	35,000.00			43,000.00	78,000.00		78,000.00
Equipment and Supplies Fund.....	7,291.70		583.35	8,000.00	15,875.05	14,250.00	30,125.05
Library Fund.....	13,124.99		1,041.70	26,249.98	41,875.02	13,125.03	55,000.05
Library Fund.....	1,458.35						
University Extension.....	12,749.98		1,791.70	32,249.99	48,208.37	15,000.03	63,208.40
University Extension.....	1,416.70						
Epidemiology Laboratory Fund.....	4,583.30			13,750.00	18,333.30	1,666.70	20,000.00
Nurses' Training Fund.....			1,666.70	10,000.00	11,666.70	10,000.00	21,666.70
Child Welfare Fund.....		\$12,500.00			14,583.85	12,500.00	27,083.85
Child Welfare Fund.....		2,083.35					
	\$555,983.38	\$14,583.35	\$13,416.80	\$ 967,995.25	\$1,581,978.78	\$355,995.82	\$1,937,965.00
BUILDINGS--							
Nurses' Home (38th G. A. Chap. 403, Sec. 1)			\$45,000.00		\$ 45,000.00		\$ 45,000.00
Old Capitol Building (37th G. A. Chap. 259, Sec. 1)		\$25,000.00			25,000.00	\$ 10,000.00	35,000.00
Building Fund (39th G. A. Chap. 239, Sec. 1)				\$ 150,000.00	150,000.00	15,000.00	165,000.00
SPECIAL PURPOSES--(39th G. A. Chap. 287, Sec. 2)--							
Equipment New Buildings.....				75,000.00	75,000.00		75,000.00
Paving and Sidewalks.....				20,000.00	20,000.00		20,000.00
Campus Lighting.....				5,000.00	5,000.00		5,000.00
Grading and Planting.....				10,000.00	10,000.00		10,000.00
Library Reading Room.....				5,000.00	5,000.00		5,000.00
	\$555,983.38	\$39,583.35	\$58,416.80	\$1,232,995.25	\$1,916,978.78	\$390,995.82	\$2,297,965.00

July 1, 1921, to June 30, 1922

THE STATE UNIVERSITY OF IOWA, FUNDS AVAILABLE FROM STATE APPROPRIATIONS

July 1, 1920, to July 1, 1921

	36th G. A. Chap. 305 Sec. 1	37th G. A. Chap. 282 Sec. 1	38th G. A. Chap. 375 Sec. 1	Total Received	In Treasury	Total Appropriation
From State Appropriation—						
Educational Support Fund.....	\$492,591.66		\$108,333.33	\$ 600,924.99	\$46,225.05	\$ 647,150.04
College of Applied Science, Etc., Fund.....	79,741.68			79,741.68		79,741.68
College of Education.....	23,333.36		11,666.68	35,000.04		35,000.04
College of Fine Arts.....	4,250.00		7,083.34	11,333.34		11,333.34
College of Dentistry.....	27,679.18		11,666.68	39,345.86		39,345.86
College of Medicine.....			58,333.36	58,333.36		58,333.36
Graduate College.....	12,750.00		28,333.34	41,083.34		41,083.34
Summer Session.....	16,000.00		20,000.00	36,000.00		36,000.00
Administration.....	7,262.50		9,333.36	16,595.86		16,595.86
Building and Grounds.....	13,000.00		16,791.70	29,791.70		29,791.70
School of Commerce.....			35,416.67	35,416.67		35,416.67
Soldier Tuition.....			24,913.00	24,913.00		24,913.00
	\$676,608.38		\$331,871.46	\$1,008,479.84	\$46,225.05	\$1,054,704.89
Repair and Contingent.....	\$ 37,916.70		\$ 14,083.31	\$ 52,000.01		\$ 52,000.01
Equipment and Supplies.....	19,791.70		11,083.33	30,875.03	\$ 1,625.05	32,500.08
Library.....	18,958.33		13,541.66	32,499.99	2,500.05	35,000.04
University Extension.....	19,833.32			19,833.32	1,416.70	21,250.02
University Extension Pub. Health Extension.....			23,291.66	23,291.66	1,791.70	25,083.36
Epidemiology Fund.....	5,416.70		5,416.70	10,833.40		10,833.40
Nurses' Training.....			31,666.66	31,666.66	1,666.70	33,333.36
Child Welfare (Chap. 282, Sec. 2).....		\$39,583.33		39,583.33	2,083.35	41,666.68
	\$778,525.13	\$39,583.33	\$430,954.78	\$1,249,063.24	\$57,308.60	\$1,306,371.84
From State Appropriation for Buildings—						
Nurses' Home (38th G. A. Chap. 403, Sec. 1).....			\$100,000.00	\$ 100,000.00		\$ 100,000.00
Armory (37th G. A. Chap. 261, Sec. 2).....			35,000.00	35,000.00		35,000.00
From State Appropriations for Special Purposes (38th G. A. Chap. 375, Sec. 2)—						
Equipment New Buildings.....			50,000.00	50,000.00		50,000.00
Paving and Sidewalks, Campus.....			12,500.00	12,500.00		12,500.00
	\$778,525.13	\$39,583.33	\$628,454.78	\$1,440,563.24	\$57,308.60	\$1,508,871.84

THE STATE UNIVERSITY OF IOWA, FUNDS AVAILABLE FROM STATE APPROPRIATIONS

	36th G. A. Chap. 305 Sec. 1	37th G. A. Chap. 232 Sec. 2	38th G. A. Chap. 375 Sec. 1	39th G. A. Chap. 287 Sec. 1	Total Received	Warrants in Hands of Treasurer Uncashed	Total Appropriations
Educational Support Fund.....	\$510,358.36		\$ 8,333.35	\$ 834,745.38	\$1,353,436.99	\$289,445.06	\$1,642,882.05
Repair and Contingent Fund.....	36,000.00			43,000.00	78,000.00		78,000.00
Equipment and Supplies Fund.....	7,291.70		563.35	8,000.00	15,855.05	14,250.00	30,125.05
Library Fund.....	13,124.99		1,041.70	26,249.98	41,875.02	13,125.03	55,000.05
Library Fund.....	1,458.35						
University Extension.....	12,749.98		1,791.70	32,249.99	48,306.37	15,000.08	63,208.40
University Extension.....	1,416.70						
Epidemiology Laboratory Fund.....	4,553.30			18,750.00	18,333.30	1,666.70	20,000.00
Nurses' Training Fund.....			1,666.70	10,000.00	11,666.70	10,000.00	21,666.70
Child Welfare Fund.....		\$12,500.00			14,583.35	12,500.00	27,083.35
Child Welfare Fund.....		2,083.35					
	\$585,983.38	\$14,583.35	\$13,416.80	\$ 967,995.25	\$1,581,978.78	\$355,986.82	\$1,937,965.60
BUILDINGS:							
Nurses' Home (38th G. A. Chap. 403, Sec. 1).....			\$45,000.00		\$ 45,000.00		\$ 45,000.00
Old Capitol Building (37th G. A. Chap. 259, Sec. 1).....		\$25,000.00			25,000.00	\$ 10,000.00	35,000.00
Building Fund (39th G. A. Chap. 289, Sec. 1).....				\$ 150,000.00	150,000.00	15,000.00	165,000.00
SPECIAL PURPOSES—(39th G. A. Chap. 287, Sec. 2)—							
Equipment New Buildings.....				75,000.00	75,000.00		75,000.00
Paving and Sidewalks.....				20,000.00	20,000.00		20,000.00
Campus Lighting.....				5,000.00	5,000.00		5,000.00
Grading and Planting.....				10,000.00	10,000.00		10,000.00
Library Reading Room.....				5,000.00	5,000.00		5,000.00
	\$595,983.38	\$39,583.35	\$58,416.80	\$1,232,995.25	\$1,916,978.78	\$390,986.82	\$2,297,965.60

July 1, 1921, to June 30, 1922

THE STATE UNIVERSITY OF IOWA, IOWA CITY

STAFF OF ADMINISTRATION AND INSTRUCTION

	1921	1922
President	1	1
President Emeritus	1	1
Deans and Directors	16	16
Professors and Heads	25	29
Professors	29	47
Associate Professors	29	38
Assistant Professors	54	49
Lecturers	7	12
Associates	10	9
Instructors and Demonstrators	92	126
Assistants	—	23
Graduate Assistants	87	53
Total	351	404

NUMBER OF STUDENTS

	Men		Women		Total	
	1920-21	1921-22	1920-21	1921-22	1920-21	1921-22
Graduate College	329	466	265	356	594	822
College of Liberal Arts	1,778	1,971	1,726	1,904	3,504	3,875
College of Law	162	199	6	6	168	206
College of Medicine	280	312	9	13	289	325
College of Dentistry	304	256	1	—	305	256
College of Pharmacy	56	74	17	10	73	84
College of Applied Science	413	400	2	4	415	404
School of Nursing	—	—	169	157	169	157
School of Music	68	52	265	240	333	292
Library Training	—	—	27	38	27	38
Total	3,890	3,730	2,487	2,728	5,877	6,458
Deduct—counted more than once	235	167	297	318	532	485
Total	3,155	3,563	2,190	2,410	5,345	5,973
Sub-Collegiate students	187	200	186	212	373	412

REPORT OF THE SECRETARY OF THE IOWA STATE COLLEGE
OF AGRICULTURE AND MECHANIC ARTS TO THE
FORTIETH GENERAL ASSEMBLY OF THE
STATE OF IOWA, CONVENED

JANUARY 8, 1923.

To the Members of the Fortieth General Assembly:

Gentlemen:

I submit herewith special report required by chapter 104 of the laws of the Thirtieth General Assembly (chapter 5-A of the 1913 Supplement to the Code), for the biennial period ending June 30, 1922. In accordance with the provisions of the law, this report shows:

I. Balances of all funds in the hands of the college treasurer and the state treasurer at the beginning of the biennial period, July 1, 1920, available for college purposes.

II. Additional funds which became available during each year of the biennial period.

III. Amounts expended in each of the two years for building and improvements, repairs, administration, maintenance and equipment of departments, and for the general expenses of the institution.

IV. Balances to the credit of the different funds, in the hands of the college treasurer and the state treasurer, at the close of the biennial period.

V. Receipts of the hospital and sales of departments reported separately, as required by law.

VI. The number of professors and instructors employed by the college; and the number of students enrolled in each course during each year of the biennial period.

I. BALANCES ON HAND JULY 1, 1920

	State Treasurer	College Treasurer
Collegiate Support	\$ 108,833.36	\$ 71,785.51
Scholarship Funds (subject to special provisions)...		317.26
Non-Collegiate Support	17,250.00	2,255.66
Summer Session		9,200.81
Winter Short Courses	9,500.00	7,810.11
Veterinary Practitioners' Course.....	1,666.68	1,538.70

BUILDING, IMPROVEMENT AND EQUIPMENT FUNDS

Animal Husbandry Farm.....	\$ 74,092.46	\$
Armory	109,800.00	158.69
Books and Periodicals.....		17.62
Enlargement of Buildings.....	18,200.00	49.61
Equipment of Buildings and Departments.....	85,900.00	170.96
Extension of Heating System.....	13,650.00	426.10
Lake LaVerne (L. W. Noyes Fund).....		68.27
Library Building	299,879.87	.....
Public Grounds, Maintenance and Improvement.....	8,750.03	1,509.52
Repairs and Improvements, Dairy Bldg., etc.....	2,500.00	1,067.70
Repairs to Barns, Pavilions and Fences.....	8,200.00	16.77
Repairs and Minor Improvements.....	4,166.70	1,767.92
Room Rent Fund (Dormitory receipts).....		9,558.77
Sewer Construction	8,100.00	771.25
Special Building Fund.....	115,800.00	63.10
Storeroom		430.35
Temporary Home Economics Laboratories.....		209.21
	\$ 886,289.10	\$ 109,193.89

INDUSTRIAL SERVICE FUNDS

Agricultural and Home Economics Extension.....	\$	23,799.36
Apiary Inspection		9.02
Engineering Extension	24,583.35	2,113.56
Agricultural Experiment Station	26,000.00	66,980.06
Engineering Experiment Station	2,083.35	2,695.98
Good Roads Experimentation	3,333.34	19.21
Veterinary Investigations	12,000.00	91.49
Hog Cholera Serum Laboratory		19,012.74
	\$	67,000.04
	\$	114,721.41
Totals, All Funds.....	\$	953,289.14
		\$ 223,915.30

II. ADDITIONAL FUNDS AVAILABLE DURING THE BIENNIAL PERIOD
EDUCATIONAL FUNDS

	1920-1921	1921-1922
Collegiate Support—		
From National Government.....	\$ 101,082.04	\$ 103,482.62
From State Appropriations.....	669,000.00	1,276,500.00
From State for Soldiers and Sailors' Tuition....	21,129.98	31,116.60
From Miscellaneous Sources.....	32,585.21	31,491.31
	\$ 823,797.23	\$ 1,442,590.53
Non-Collegiate Support—		
From National Government.....	\$ 15,226.20	\$ 18,172.11
From State Appropriations.....	76,000.00	84,500.00
From Miscellaneous Sources.....	2,068.76	7,322.53
	\$ 93,284.96	\$ 104,994.64
From Student Fees (for laboratory material and other expenses charged to students).....	\$ 173,581.00	\$ 193,877.95
Vacation Courses—		
From State Appropriations:		
For Summer Session.....	\$ 25,000.00	\$ 40,000.00
For Winter Short Courses.....	9,500.00	9,500.00
For Veterinary Practitioners' Course.....	2,500.00	2,500.00
	\$ 37,000.00	\$ 52,000.00
Building, Equipment and Improvement Funds—		
From State Appropriations:		
Additional Construction and Equipment.....	\$	\$ 67,500.00
Books and Periodicals.....	15,000.00	25,000.00
Construction of Buildings and Purchase of Land.....		250,000.00
Enlargement of Buildings and Small Additional Buildings.....	10,000.00	
Equipment and Furnishings for Buildings and Departments.....	37,500.00	42,500.00
Extension of Heating System and Equipment of Heating Plant.....	13,000.00	20,000.00
Public Grounds, Maintenance and Improvements.....	15,000.00	20,000.00
Repairs and Improvements to Barns, Pavillions and Fences.....	7,500.00	
Repairs and Minor Improvements.....	50,000.00	56,000.00
	\$ 148,000.00	\$ 481,000.00
From Students and Others (room rentals).....	56,637.43	61,871.06
	\$ 204,637.43	\$ 542,871.06
Totals, Educational Funds.....	\$1,232,300.62	\$2,336,324.18

INDUSTRIAL SERVICE FUNDS

Agricultural and Home Economics Extension—		
From National Government.....	\$ 153,989.02	\$ 161,674.41
From Interest on Government Funds.....		622.21
From State Appropriations.....	101,500.00	176,500.00
Engineering Extension—		
From National Government.....		1,926.81
From State Appropriations.....	27,000.00	32,000.00
Agricultural Experiment Station—		
From National Government.....	30,000.00	30,000.00
From State Appropriations.....	190,500.00	250,000.00
Engineering Experiment Station—		
From State Appropriations.....	25,000.00	35,060.00
Good Roads Experimentation—		
From State Appropriations.....	10,000.00	10,000.00
Veterinary Investigations—		
From State Appropriations.....	12,500.00	18,500.00
Totals, Industrial Service Funds.....	\$ 550,489.02	\$ 716,223.43
Totals, All Funds.....	\$1,882,789.64	\$3,052,557.67

SUMMARY OF SOURCES OF INCOME

From National Government.....	\$ 300,297.26	\$ 310,255.95
From State	1,317,829.98	2,447,118.60
From Miscellaneous Sources.....	264,862.40	295,185.06
Totals	\$1,882,789.64	\$3,052,557.61

 III. EXPENDITURES
 EDUCATIONAL FUNDS

	1920-1921	1921-1922
Collegiate Support—		
Salaries	\$ 801,492.29	\$1,019,915.88
Department Expenses	198,972.32	209,427.30
Scholarship Funds	4,907.93	5,567.32
Administration and General Expenses.....	54,863.51	45,963.56
Heat, Light and Janitor Service.....	159,577.82	214,104.11
Equipment and Improvements.....		51,708.63
	\$1,219,813.87	\$1,546,684.53
Non-Collegiate Support—		
Salaries	\$ 104,477.92	\$ 118,571.72
Department Expenses	11,966.15	18,121.05
Administrative Expenses	1,806.74	762.73
Heat, Light and Janitor Service.....	3,000.00	
	\$ 121,250.81	\$ 137,455.50
Vacation Courses—		
Summer Session	\$ 36,095.93	\$ 43,937.17
Winter Short Courses.....	23,814.80	7,412.95
Veterinary Practitioners' Course.....	5,023.65	2,250.80
	\$ 64,934.38	\$ 53,600.92
Buildings, Improvements and Equipment—		
Additional Construction and Equipment.....		\$ 59,128.81
Animal Husbandry Farm.....	74,092.46	
Armory	104,550.80	5,359.87
Books and Periodicals.....	14,291.54	13,239.37
Construction of Buildings and Purchase of Land..		112,765.40
Enlargement of Buildings and Small Additional Buildings	15,539.51	13,610.56
Equipment of Buildings and Departments.....	123,527.37	31,092.49
Extension of Heating System and Equipment of Heating Plant	9,032.41	52,977.38
Library Building		8.93
Public Grounds, Maintenance and Improvement..	23,485.01	20,552.50
Repairs and Improvements to Dalry Building, Old Agricultural Hall, etc.....	485.48	1,942.43
Repairs and Improvements to Barns, Pavilions and Fences	4,462.80	4,326.37
Repairs and Minor Improvements.....	55,638.96	52,357.51
Sewer Construction	4,386.17	4,424.86
Special Building Fund.....	74,349.29	34,491.95
Temporary Home Economics Laboratories.....	78.12	
Room Rent Fund.....	67,767.10	50,280.41
Storeroom Fund (net receipts).....	—26.92	—3,441.49
	\$ 571,659.60	\$ 458,117.35
Totals, Educational Funds.....	\$1,977,658.66	\$2,195,858.30

INDUSTRIAL SERVICE FUNDS

	1920-1921	1921-1922
Agricultural and Home Economics Extension—		
Salaries	\$ 202,582.97	\$ 227,451.05
Current Expenses	61,385.29	103,241.73
	\$ 263,968.26	\$ 330,692.78
Apiary Inspection	1,320.79	1,673.38
Engineering Extension—		
Salaries	17,074.01	23,646.54
Current Expenses	27,177.72	10,102.81
	\$ 44,251.73	\$ 33,749.35
Agricultural Experiment Station—		
Salaries	\$ 142,253.81	\$ 178,271.97
Current Expenses	140,152.99	99,506.39
	\$ 282,406.80	\$ 277,778.36

Engineering Experiment Station:			
Salaries	\$ 15,543.75	\$	22,616.95
Current Expenses	13,016.71		13,854.75
	\$ 28,560.46	\$	35,971.70
Good Roads Experimentation—			
Salaries	\$ 7,352.10	\$	7,483.71
Current Expenses	5,226.20		3,235.10
	\$ 12,578.30	\$	10,718.81
Veterinary Investigations—			
Salaries	\$ 10,258.64	\$	11,423.26
Current Expenses	14,062.76		7,127.63
	\$ 24,321.40	\$	18,550.89
Hog Cholera Serum Laboratory—			
Salaries	\$ 1,899.99		...
Current Expenses	14,467.90		226.95
	\$ 16,367.89	\$	226.95
Totals, Industrial Service Funds	\$ 673,775.63	\$	709,862.22
Totals, All Funds	\$2,651,434.29	\$	2,905,220.52

IV. BALANCES ON HAND, JUNE 30, 1922

	State Treasurer Educational Funds	College Treasurer Educational Funds
Collegiate Support	\$ 97,333.35	\$ 16,377.51
Scholarship Funds (subject to special provisions)	3,293.01
Non-collegiate Support	—20,751.09
Summer Session	2,278.32
Winter Short Courses	5,082.36
Veterinary Practitioners' Course	930.93

BUILDING, IMPROVEMENT AND EQUIPMENT FUNDS

Additional Construction and Equipment	\$ 7,500.00*	\$ 871.19
Armory .....	...	48.52
Books and Periodicals .....	...	7,486.71
Construction of Buildings and Purchase of Land ..	136,500.00	734.60
Enlargement of Buildings and Small Additional Bldgs.	...	—900.46
Equipment of Buildings and Departments	13,500.00*	—2,048.90
Extension of Heating System and Equipment of Heating Plant	—16,000.00*	1,066.31
Lake LaVerne (L. W. Noyes Fund) .....	...	68.27
Library Building	294,879.87	4,991.07
Public Grounds, Maintenance and Improvements ..	...	1,222.04
Repairs and Improvements to Dairy Building, etc. ..	...	1,139.79
Repairs to Barns, Pavillions and Fences .....	...	6,927.60
Repairs and Minor Improvements .....	...	3,938.15
Room Rent Fund (Dormitory receipts) .....	...	10,019.75
Sewer Construction .....	...	60.22
Special Building Fund	5,000.00	2,021.86
Storeroom .....	...	3,898.76
Temporary Home Economics Laboratories .....	...	181.09
	\$ 538,713.22	\$ 48,887.61

INDUSTRIAL SERVICE FUNDS

Agricultural and Home Economics Extension	\$	\$ 20,423.96
Applary Inspection .....	...	14.85
Engineering Extension .....	...	9,622.64
Agricultural Experiment Station .....	...	32,294.89
Engineering Experiment Station .....	...	247.17
Good Roads Experimentation .....	...	55.44
Veterinary Investigations .....	...	219.20
Hog Cholera Serum Laboratory .....	...	2,417.90
	\$	\$ 65,296.05
Totals, All Funds	\$ 538,713.22	\$ 114,183.66

*Not more than half of the total of these three appropriations to be drawn before July 1, 1922.

V. HOSPITAL ACCOUNT AND SALES OF DEPARTMENTS

COLLEGE HOSPITAL ACCOUNT

Cash on hand July 1, 1920.....\$ 4,298.35

RECEIPTS

Fees and charges paid by students and others, 1920-21.....\$	26,541.85	
Fees and charges paid by students and others, 1921-22.....\$	30,224.34	\$ 56,776.19
		\$ 61,074.54

EXPENDITURES

Expense of maintenance, 1920-21.....\$	22,283.14	
Expense of maintenance, 1921-22.....\$	23,266.39	\$ 45,549.53
Cash on hand June 30, 1922.....\$		15,525.01

SALES OF DEPARTMENTS

(The sales of each department are listed in detail in the Secretary's report, which is a part of the Biennial Report of the State Board of Education.)

	1920-1921	1921-1922
Collegiate Departments.....\$	223,197.03	\$ 218,181.31
Non-collegiate Departments.....	2,137.82	2,186.61
Vacation Courses.....	203.76	72.75
Building and Improvement Funds (transfer of material).....	12,732.23	11,750.15
General Storeroom (distributing account).....	29,700.55	42,936.00
Totals for Educational Work.....\$	267,971.39	\$ 275,126.83
Agricultural Extension.....\$	3,311.79	\$ 3,130.70
Apiary Inspection.....	86.55	
Engineering Extension.....	1,015.14	4,132.37
Agricultural Experiment Station.....	37,080.86	32,806.25
Engineering Experiment Station.....	2,513.18	2,057.84
Good Roads Experimentation.....		104.40
Veterinary Investigations.....	191.93	221.76
Hog Cholera Serum Laboratory.....	8,657.50	11,884.58
Totals for Industrial Service.....\$	52,856.96	\$ 54,337.85
Grand Totals, Sales.....\$	320,828.34	\$ 329,464.68

VI. NUMBER OF PROFESSORS AND INSTRUCTORS, AND STUDENT ENROLLMENT

INSTRUCTIONAL STAFF

	1920-1921	1921-1922
Collegiate Departments—		
President.....	1	1
Deans and Directors.....	8	8
Professors and Heads of Departments.....	61	61
Associate Professors.....	66	68
Assistant Professors.....	57	69
Instructors.....	102	107
Graduate Assistants.....	27	40
Fellows.....	9	22
	331	376
Non-Collegiate Departments—		
Professors.....	2	2
Associate Professors.....	7	6
Assistant Professors.....	10	10
Instructors.....	28	30
Graduate Assistants.....	7	7
	54	55
Totals.....	385	431

STUDENT ENROLLMENT

	1920-1921	1921-1922
Graduate Division—		
Agriculture:		
Agricultural Engineering.....	1	5
Agricultural Economics.....		16
Agricultural Education.....		10
Agriculture.....		2
Animal Husbandry.....	20	42
Dairying.....	7	11
Dairy Husbandry.....		6
Farm Crops.....	3	16

Farm Crops and Soils.....	11	3		
Forestry	2	2		
Horticulture	5	11		
Poultry Husbandry .....	..	4		
Rural Sociology .....	..	6		
Soils	1	15		
Vocational Education	32	82	45	194
<hr/>				
Engineering:				
Agricultural Engineering	1	5		
Architectural Engineering .....	..	1		
Ceramic Engineering	1	..		
Chemical Engineering	1	4		
Civil Engineering	1	5		
Electrical Engineering .....	..	5		
Engineering .....	..	1		
Mechanical Engineering	2	4		
Physics	4	..		
Highway Engineering .....	..	..
Trades and Industries.....	..	10	3	33
Home Economics	10	10	34	34
<hr/>				
Industrial Science:				
Bacteriology	6	9		
Botany	10	19		
Chemistry	57	64		
Economic Science	16	4		
Entomology .....	..	2		
History	2	8		
Mathematics	8	10		
Zoology	1	100	6	117
Veterinary Medicine .....	..	2	6	6
Major not indicated.....	..	..	21	21
		204	404	
<hr/>				
Division of Agriculture—				
Agricultural Economics	3	17		
Agricultural Education	80	83		
Agricultural Journalism	10	19		
Agricultural Engineering	87	78		
Agriculture (Freshmen)	389	204		
Agriculture, Special	27	64		
Agriculture and Manual Training.....	11	8		
Animal Husbandry	365	399		
Animal Husbandry and Veterinary Medicine.....	5	6		
Dairying	50	68		
Farm Crops and Soils.....	64	65		
Farm Management	37	21		
Forestry	58	62		
Horticulture	20	26		
Home Economics and Agriculture.....	33	19		
Industrial Science and Animal Husbandry.....	..	1		
Landscape Architecture	28	32		
Rural Sociology .....	..	1		
Soils .....	..	1		
Two-year Collegiate Agriculture.....	11	1,228	3	1,127
<hr/>				
Division of Engineering—				
Agricultural Engineering	87	78		
Architectural Engineering	98	110		
Ceramic Engineering	11	15		
Chemical Engineering	96	101		
Civil Engineering	274	210		
Electrical Engineering	339	364		
Mechanical Engineering	228	210		
Mining Engineering	22	23		
Trades and Industries.....	3	1,158	7	1,218
<hr/>				
Division of Home Economics—				
Home Economics	723	842		
Home Economics and Agriculture.....	33	756	19	861
<hr/>				
Division of Industrial Science.....	..	430	..	374
<hr/>				
Division of Veterinary Medicine—				
Veterinary Medicine	91	78		
Animal Husbandry and Veterinary Medicine.....	5	96	6	84

Non-Collegiate Courses—

Agriculture:			
Two-year Agriculture	396	362	
Herdsmen	71	63	
Home Economics and Agriculture	3	..	
Dairymen	33	41	
Poultrymen and Beekeepers	3	..	
Engineering:			
Automechanics (12 weeks)	51	65	
Automechanics (1 year)	86	32	
Draftsmen	11	3	
Electrical	78	110	
Mechanical	55	48	
Structural	73	40	
Roadmakers	5	60	
Trades and Industries	1	..	
Home Economics:			
Home Economics	29	28	
Home Economics and Agriculture	3	898	852
Summer School:			
First Session	723	1,315	
Second Session	365	1,088	2,112
Short Courses			
Agriculture	599	875	
Dairying	70	156	
Boys' Short Course	139	..	
Poultry Culling	50	98	
Canners	111	..	
Bakers	92	..	
Cleaners and Dyers	..	54	
Electric Metermen	50	106	
Gas Metermen	..	45	
Operators of Sewage Disposal Plants	..	43	
Radio	..	504	
Home Economics	121	..	
Veterinary Practitioners	..	1,232	2,005
Totals		7,090	9,037
Less Duplicates—			
Agricultural Engineering	88	83	
Animal Husbandry and Veterinary Medicine	5	6	
Home Economics and Agriculture	36	19	
Industrial Science and Animal Husbandry	..	1	
Electrical and Civil Engineering	..	1	
Electrical and Mechanical Engineering	..	2	
Music	162	119	
Summer School	650	1,662	
Short Courses	46	887	1,941
Total Net Enrollment		6,203	7,096

Respectfully submitted,

E. M. EFFLER,
Secretary.*To the Fortieth General Assembly:*

IOWA STATE TEACHERS COLLEGE

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:

FACULTY

	1920-21	1921-22
President	1	1
Registrar	1	1
Assistant Registrar	1	1
Deans	2	2
Head Professors	19	19
Professors	42	49
Assistant Professors	20	25
Instructors	49	60
Assistant Instructors	24	20
Student Assistants	4	4
	163	182

EXTENSION SUMMER SCHOOLS

	1921	1922
Directors	5	5
Instructors	52	66
	<hr/> 57	<hr/> 71

OTHER EMPLOYEES

	1920-21	1921-22
Librarian	1	1
Librarian Assistants	6	6
Library—Student Assistants	30	35
Office Secretaries	3	3
Office Clerks and Stenographers	20	20
Superintendent of Buildings and Grounds	1	1
Janitors	15	15
Engineers and Mechanics	20	20
Other Employees—Hospital	3	3
Dormitory—		
Head	1	1
Housekeeper	1	1
Assistant Housekeeper	1	1
Clerks	3	3
Total	<hr/> 105	<hr/> 110
Grand Total, exclusive of Extension Summer Schools	268	292
Extension Summer Schools—		
Instructors	1921	1922
	52	66

ENROLLMENT OF STUDENTS

	1920-21	1921-22
College Graduates	59	76
College Course Students	614	744
Diploma Courses—		
Third Year	16	13
Second Year	457	544
First Year	694	887
Twelve Weeks Normal Training (Collegiate)	488	652
Special Students	16	28
Unclassified Students in College Classes	363	484
Students in Collegiate Classes in Extension Summer Schools (not re-enrolled in the College during the year)	338	447
Students in Extension Courses and Correspondence Courses ..	947	1,164
Students in Sub-Collegiate Classes—		
1. At College:		
Special Music	95	72
Visitors	66	72
Others	755	698
2. At Extension Summer Schools (not re-enrolled at the College during the year)	514	675
3. In Credit Extension Classes	99	15
Grand Total, Less Duplicates	<hr/> 5,432	<hr/> 6,406
Training Schools—		
Campus High School and Grades	445	525
Affiliated City Schools	210	264
Rural Demonstration Schools	181	170
Consolidated Schools	840	828
Extension Service—		
Study Center Enrollment	14,184	15,983
Credit Study Center Enrollment	1,024	1,136
Sum	Sum '21	Sum '22
Extension Summer School Enrollment	1,139	1,880

STUDENT'S GRADUATING DURING BIENNIAL

	1920-21	1921-22
Master of Didactics Degree	2	0
Bachelor of Arts in Education Degree	75	100
Diploma	265	346
Certificates from Departments	12	9
	<hr/> 354	<hr/> 455

RECAPITULATION OF RECEIPTS AND EXPENDITURES FOR THE BIENNIAL PERIOD JULY 1, 1920 TO JUNE 30, 1922.

Funds	Credit Balances 1920	Receipts	Disbursements	Balances 1922
Teachers.....	None	\$ 468,925.00	\$ 464,947.18	\$ 3,677.82
Contingent.....	\$ 3,377.49	289,152.39	288,880.27	3,649.61
Equipment-Training School.....	1,388.52	224.00	224.00	1,164.52
Summer Contingent.....	37,277.48	36,492.57	29,683.91	44,086.44
Student Contingent.....	64.70	55,836.48	35,536.11	20,365.07
Commencement Contingent.....	141.86	1,869.00	1,677.29	333.57
General.....	11,070.27	32,836.11	34,782.83	9,123.55
Hospital.....	930.03	13,500.00	7,071.85	7,358.18
Dormitory Furniture.....	7,669.82	---	1,694.13	5,975.69
Dormitory.....	37,137.17	72,752.56	82,633.32	27,256.41
Equipment Vocational Building.....	312.09	---	312.09	---
Extension Service.....	4,931.82	89,505.24	93,851.46	585.60
Extension Summer School Contingent.....	7,246.60	15,936.21	14,246.56	8,936.25
Librarian Salary.....	2,796.70	28,000.00	28,010.71	2,785.99
Library.....	4,134.06	25,000.00	21,933.26	7,200.00
Music.....	3,316.08	45,316.31	45,313.15	2,819.24
Lost Check.....	15.81	10.98	1.00	25.79
Extension Summer School Work.....	28.63	55,000.00	52,310.30	2,718.33
Summer Term.....	---	128,000.00	124,627.43	3,372.57
Paving and Sidewalk.....	---	5,000.00	---	5,000.00
	\$121,839.13	\$1,362,833.15	\$1,328,236.85	\$156,435.43
		121,839.13	156,435.43	
		\$1,484,672.28	\$1,484,672.28	

Received from State Appropriations, for one year, 1920-1921:

Teachers' Fund	\$189,500.00	
Contingent Fund	119,500.02	
Summer Term Fund	44,000.00	
Hospital Fund	5,250.00	
Extension Service Fund	39,750.00	
Extension Summer School Fund	20,000.00	
Librarian Salary Fund	11,500.00	
Library Fund	10,000.00	
Paving Fund	5,000.00	\$444,500.02

Received from other sources, for one year, 1920-1921:

Contingent Fund—		
Independent School District, Cedar Falls, tuition...\$	2,408.49	
District No. 5, tuition.....	232.86	
District No. 4, tuition.....	834.52	
Cherokee District, tuition.....	1,000.00	4,475.87
Summer Contingent Fund—		
Fees collected, tuition and gymnasium.....\$	13,321.49	
Vocational Board, Des Moines.....	150.00	
Lecture receipts	135.26	13,606.75
Students Contingent Fund—		
Fees collected, tuition, gymnasium, etc.....	25,246.81	
Lecture receipts	87.68	25,334.49
Commencement Contingent Fund—		
Fees collected	667.00	667.00
General Fund—		
Miscellaneous receipts	3,632.95	
Sales in store-mimeo and material.....	2,425.49	
Health service fees.....	3,792.00	
Interest on daily balance.....	1,789.29	
Hospital receipts	732.00	
Library fines	256.34	
Receipts from Greek play.....	1,241.68	
Sale of kitchen equipment to Mrs. Traer.....	762.64	
Correspondence courses	478.50	15,110.89
Dormitory Fund—		
Rents	36,509.03	

Extension Service Fund—		
R. R. refund.....	2.93	
Extension Summer School Contingent Fund—		
Fees collected—Estherville, Iowa	\$ 1,139.25	
Fees collected—Carroll, Iowa	123.60	
Fees collected—Shenandoah, Iowa	1,131.63	
Fees collected—Centerville, Iowa	259.23	
Fees collected—Albia, Iowa	1,338.00	
Fees collected—Muscatine, Iowa	1,415.00	
Fees collected—Sheldon, Iowa	1,163.00	
Fees collected—Red Oak, Iowa	1,007.00	
Fees collected—Harlan, Iowa	800.00	
		\$ 8,376.83
Part of the fees for each school comes in each of two fiscal years.		
Music Fund—		
Fees (collected for private music lessons).....	21,153.11	
Lost Check Fund—		
Checks transferred from other funds.....	10.48	
Grand total		691,586.52
RESUME		
Amount on hand July 1, 1920.....	\$121,839.13	
Received from state appropriations.....	444,500.02	
Received from other sources.....	125,247.33	
		\$691,586.52
SUPPORT FOR THE YEAR 1921-22		
Amount on hand July 1, 1921.....		86,932.95
Received from state appropriations, 1 year, 1921-22		
Teachers Fund—		
Warrants cashed	279,125.00	
Warrants not cashed.....	25,375.00	
		\$304,500.00
Contingent Fund—		
Warrants cashed	155,833.30	
Warrants not cashed.....	14,166.70	
		\$170,000.00
Summer term fund.....		84,000.00
Hospital fund		8,250.00
Extension service fund.....		49,750.00
Extension summer school work fund.....		35,000.00
Librarian salary fund.....		16,500.00
Library fund		15,000.00
Improvement and equipment of gymnasium (warrant uncashed)		1,000.00
Equipment of training school (warrant uncashed).....		2,700.00
		686,700.00
Received from other sources, one year, 1921-22		
Contingent Fund—		
Independent school dist., Cedar Falls, tuition.....	\$ 8,308.79	
District no. 10, tuition.....	198.43	
District No. 5, tuition.....	228.48	
Cherokee district, tuition.....	607.50	
		\$ 9,343.20
Summer Contingent Fund—		
Fees collected—tuition and other fees.....	22,886.12	
Student Contingent Fund—		
Fees, collected, tuition and other fees.....	30,501.99	
Commencement Contingent Fund—		
Diploma fees	902.00	
Commencement play	300.00	
		\$1,202.00
General Fund—		
Interest on daily balances.....	2,812.92	
Hospital receipts	487.00	
Library fines	321.02	
Miscellaneous receipts	2,930.78	
Health service fees.....	7,155.25	
Correspondence courses	978.00	
Sales in store—mimeograph and other materials....	3,040.25	
		17,725.22

Dormitory Fund—		
Rents		86,243.53
Extension Service Fund—		
R. R. refunds		2.31
Extension Summer School Contingent Fund—		
Fees collected—Harlan	214.06	
Fees collected—Albia	332.44	
Fees collected—Sheldon	285.61	
Fees collected—Red Oak	174.87	
Fees collected—Muscatine	373.85	
Fees collected—Clinton	1,490.00	
Fees collected—Denison	1,360.00	
Fees collected—Spencer	1,800.00	
Fees collected—Clarinda	1,528.55	
		7,559.38
Music Fund—		
Fees collected		24,163.20
Lost Check Fund—		
Checks transferred from other funds .....		.50
Total		\$149,627.45
Grand total		923,260.40

RESUME.

Amount on hand July 1, 1921	\$ 86,932.95	
Received from state appropriations	686,700.00	
Received from other sources	149,627.45	
		\$923,260.40
Less uncashed state warrants		43,241.70
		\$880,028.70

ITEMIZED EXPENDITURES 1920-21.

Lost Check Fund—		
lost check cashed	\$ 1.00	
Teachers' Fund—		
Salaries of teachers	189,506.00	
Librarian's Salary Fund—		
Salaries of library employees	12,173.56	
Library Fund—		
Books and supplies	9,380.27	
Hospital Fund—		
Expenses running hospital—		
Salaries	\$ 2,379.21	
Supplies	1,245.33	
		\$ 3,624.54
Summer Term Fund—		
Salaries of teachers	44,000.00	
Summer Contingent Fund—		
Salaries of teachers	\$ 19,542.10	
Salaries of administrative officers and stenographers	1,318.70	
John E. Foster	192.97	
Lectures and entertainments	1,866.00	
Moving picture bureau	307.63	
Supplies	120.00	
		23,347.40
Dormitory Furniture Fund—		
Furniture	231.26	
Commencement Contingent Fund—		
Diplomas	\$ 551.20	
English Department prizes	54.00	
Alumni meetings	100.00	
		705.20
Dormitory Fund—		
Bartlett Hall—		
Refunds on room rent	\$ 1,100.90	
Supplies	1,991.09	
Repairs for cafeteria	152.67	
Repairs and extra cleaning	3,235.01	
Fuel	24,373.70	
Salaries of officers and clerks	6,605.57	
Salaries of cleaning women and office assistants	4,124.46	
Salaries of teachers	21,735.23	
		\$ 63,318.63

Extension Service Fund—

Organization and Direction—

Salaries	\$ 7,153.38	
Traveling and hotel expenses...	689.60	
Office supplies	166.10	
Telephone and telegraph	110.65	
Printing	1,318.35	
Paper	617.43	
Express and drayage	87.89	
Postage	342.41	
		\$ 10,485.81

General Study Centers—

Supplies	\$ 19.10	
Salaries	9,735.95	
Expenses	10,042.46	
		19,797.51

Credit Study Centers—

Salaries	\$ 5,552.55	
Expenses	4,080.44	
		9,632.99

Consultative Service—

Supplies	\$ 762.76	
Salaries	3,251.33	
Expenses	1,462.34	
		5,476.43

Extension Summer Schools—

Total net expenses	\$ 22,954.57	
Supplies	2.45	
		22,957.02

Special Service—

Salary	\$ 30.00	
Expense	44.28	
		74.28

Slide Service—

Salary	\$ 73.32	
Expense	18.38	
		91.70

\$ 68,515.74

General Fund—

Stamps and envelopes	\$ 2,264.81	
Entertainments—expenses	1,123.84	
Health service	401.84	
Athletic injuries	46.00	
Commencement address	258.00	
Alumni banquet	194.20	
Debates	59.13	
Training school athletics	141.25	
Advertising and printing	271.95	
Library paintings	6,226.08	
Conferences—		
Normal training	\$ 303.02	
Consolidated schools	253.90	
		556.92
Correspondence course	41.70	
Henry Wiler—employe liability	344.25	
Membership—N. E. A.	5.00	
Miscellaneous	22.60	
		11,957.57

Music Fund—

Private music fees \$20,919.00

Students' Contingent Fund—

Salaries of teachers	\$ 12,165.73	
Salaries of administrative officers	5,644.90	
Salaries of substitute teachers	1,450.86	
John E. Foster	1,217.46	
Salaries of office employees	40.61	
Lecture course	1,660.95	
General	1,211.62	
Commercial	16.95	
Printing and advertising	139.78	
Athletics	1,704.64	
Music	52.70	
Home economics	9.58	
Recreation park	16.20	
		25,331.88

Contingent Fund:

Department expenditures 127,203.11

Equipment Vocational Building Fund—

Furniture, equipment and labor for vocational building 221.42

Extension Summer School Contingent Fund—			
Organization		1,170.22	
Cash advanced for organizing extension summer schools		750.00	
Entertainments and lectures		731.73	
Miscellaneous expense		175.30	
Supplies		907.00	
Salaries—Stenographers and janitors		975.76	
Salaries—Instructors—			
Carroll	\$	926.84	
Shenandoah		2,750.00	
		<u>3,676.84</u>	
			8,386.85
Extension Summer School Fund—			
Salaries—			
Centerville		5,844.63	
Shenandoah		2,783.34	
Estherville		5,957.50	
Carroll		5,443.16	
		<u>20,028.63</u>	
Total			\$628,852.06

CONTINGENT FUND.

Department Expenditures 1920-21.

Repairs	\$	9,831.43	
Superintendent's department		8,476.40	
Superintendent's department salaries		43,009.12	
Office employees' salaries		20,813.21	
Office supplies		3,594.43	
Fuel		17,134.26	
Laundry		165.57	
Telephone and telegraph		537.12	
General		2,332.80	
Printing and advertising		6,939.59	
Natural science		1,964.10	
Rural education		2,172.61	
Home economics		1,255.43	
Athletics		1,133.03	
Orchestra		591.28	
Music		1,296.37	
Training school		2,947.76	
Physics and chemistry		1,054.26	
Manual training		999.46	
Physical education		371.35	
Art		57.16	
History		24.75	
Education		165.25	
Commercial		62.15	
Mathematics		5.58	
Government and economics		4.00	
Recreational park		148.40	
English		113.70	
Latin, German		2.54	
		<u>\$127,203.11</u>	

ITEMIZED EXPENDITURES 1921-22.

Teachers' Fund—			
Teachers' salaries			\$275,628.08
Librarians' Salary Fund—			
Salaries of library employes			15,837.15
Library Fund—			
Books and supplies			12,597.99
Hospital Fund—			
Salaries	\$	2,395.23	
Supplies		1,052.08	
		<u>3,447.31</u>	
Summer Term Fund—			
Salaries of teachers			80,794.09
Summer Contingent Fund—			
Athletics		62.55	
Vault		1,621.25	
Lectures and entertainments		2,621.89	
Teaching assistants		263.73	
High school inspector		1,353.44	
Miscellaneous		413.65	
		<u>6,336.51</u>	

Dormitory Furniture Fund—		
Furniture		1,462.71
Commencement Contingent Fund—		
Diplomas	437.50	
College reunion—Des Moines	100.00	
Faculty reception to graduates	42.84	
Alumni reunion	150.00	
Writing diplomas	89.60	
Miscellaneous	152.15	
		972.09
Dormitory Fund—		
Refund on room rents	1,104.25	
Supplies	1,661.72	
Repairs for cafeteria	1,025.41	
Repairs and extra cleaning	382.42	
Salaries of cleaning women and office assistants	4,586.13	
Salaries of plumber and janitor	2,190.00	
Salaries of officers	7,864.76	
		19,814.69
Extension Service Fund—		
Organization—		
Salaries	\$ 6,614.66	
Expenses	386.64	
		\$7,001.20
General Study Center—		
Salaries	8,004.73	
Expenses	9,876.37	
		17,881.10
Credit Class Work—		
Salaries	8,050.78	
Expenses	4,631.95	
		12,682.73
Consultative Service—		
Salaries	7,434.36	
Expenses	2,374.21	
		9,808.57
Slide service		16.66
Office supplies		40.92
Telephone and telegraph		167.37
Printing		346.36
Paper		257.21
Express, freight, drayage		89.18
Postage		357.00
Supplies for instruction		781.76
Other expense		59.34
		\$49,489.20
General Fund—		
Postage and envelopes	1,367.30	
Supplies sold at storeroom	1,286.92	
Library painting	8,281.44	
Injured workmen	364.50	
Bookstacks in library	6,440.14	
Folding chairs	1,304.82	
Three Ford cars	1,565.28	
Consolidated school conference	230.14	
Normal training school conference	254.04	
Athletic injuries	52.50	
Training school athletics	202.40	
Health service	236.38	
Correspondence course	721.00	
Assistants at teachers' examinations	394.85	
Miscellaneous	123.55	
		22,825.26
Music Fund—		
Private music fees paid to teachers		24,894.15
Student Contingent Fund—		
Analyzed with contingent fund below		10,204.23
Contingent Fund—		
See analysis below		\$161,677.16
Equipment Vocational Building Fund—		
Equipment		90.67
Equipment Training School Building—		
Equipment		224.00
Extension Summer School Fund—		
Salaries—Teachers, Albia	\$ 7,292.08	
Salaries—Teachers, Harlan	6,035.00	
Salaries—Teachers, Muscatine	6,050.00	
Salaries—Teachers, Red Oak	6,400.00	
Salaries—Teachers, Sheldon	6,504.59	
		32,281.67

Extension Summer School Contingent Fund—

Organization	1,238.72	
Cash advanced for organizing—Extension summer school	750.00	
Entertainments and lectures	688.71	
Miscellaneous expenses	56.25	
Supplies	987.17	
Salaries, stenographers, janitors	2,138.86	
		5,859.71
Total		\$723,936.83

DEPARTMENT EXPENDITURES, 1921-1922

	Contingent Fund	Students' Contingent Fund	Total
Repairs	\$ 13,622.45		\$ 13,622.45
Superintendent's Department	8,451.58		8,451.58
Superintendent's Department Salaries	47,210.88		47,210.88
Office employees' Salaries	26,563.37		26,563.37
Office Expenses	4,473.42		4,473.42
Fuel	36,856.46		36,856.46
Laundry	261.54		261.54
Telephone and Telegraph	534.27		534.27
General	2,353.12	\$ 209.00	2,562.12
Printing and Advertising	3,904.94		3,904.94
Natural Science	1,831.00	150.85	1,981.85
Rural Education	2,251.36		2,251.36
Home Economics	1,549.71		1,549.71
Athletics	525.80	4,968.76	5,514.56
Orchestral	431.04		431.04
Music	761.58		761.58
Training School	2,720.02		2,720.02
Manual Training	717.66		717.66
Physics and Chemistry	1,934.65	851.40	3,786.05
Physical Education	963.44		963.44
Art	32.22		32.22
English	586.08		586.08
Latin and Greek	1.75		1.75
Education	977.08		977.08
Commercial Education	1,421.92		1,421.92
Mathematics Department	12.65		12.65
Government and Economics	4.50		4.50
Recreational Park	196.77		196.77
Traveling Expenses	525.90		525.90
Band Concerts and Lecture Course		2,340.00	2,340.00
Commencement Address		300.00	300.00
Glee Club		219.70	219.70
Substitute Teachers		962.57	962.57
Vault		181.95	181.95
Total	\$161,677.16	\$ 10,204.23	\$171,881.39

On motion of Senator Slosson the Senate adjourned until 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 11, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. M. E. Nethercut, pastor of the M. E. church of Bloomfield.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Perkins for the day on request of Senator Fulton; Senator Darting for the day on request of Senator Price; Senator Haskell for the day on request of Senator Mead; Senator Adams for the day on request of Senator Thurston.

PETITIONS AND MEMORIALS

The following petitions were presented:

By Senator Wichman, from the teachers of the Mason City public schools, endorsing the Teachers' Annuity bill.

By Senator Mead, from the county officials of Bremer County, urging opposition to any measure reducing the salaries of county officials, and support for any measure fixing salaries of deputy county officers.

Petitions from the Modern Woodmen of America protesting the Richmond bill were presented:

By Senator Abben, from Camps Nos. 5640, Hospers, 5569, Harris, and 334, Hull.

By Senator Stoddard, from Camps Nos. 2872, Smithland, and 2738, Correctionville.

By Senator Rees, from Camp No. 344, Clarinda.

By Senator Fulton, from Camp No. 1949, Bonaparte.

Senator Thurston moved that a committee of three be appointed to escort ex-Senator Webber to the desk. Carried.

The President appointed as such committee Senators Thurston, Hale and Shane.

Senator Webber addressed the Senate with a few remarks.

Senator Johnston moved that a committee of three be appointed to escort ex-Senator Thomas to the desk. Carried.

The President appointed as such committee Senators Johnston, Kimberly and Tuck. Senator Thomas briefly addressed the Senate.

Lewis Cook, of the Homestead was assigned to seat No. 59 in the press gallery.

REPORT ON CODE REVISION

Senator Holdoegel, chairman of committee on code revision presented the following report and moved its adoption:

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

Your joint committee composed of Senators Holdegel, (Chairman), Mantz, Cessna, Ethell, Reed, Scott, Tuck, Johnston, and Representatives Edson (House Chairman), Clark, Garber, Doolittle, Moen, O'Donnell, Rankin, Himebaugh, appointed to consider the question of code revision, begs leave to submit the following report and recommendations:

Your committee reports that it has conferred with the Governor and advised him that the committee would recommend to both houses that the General Assembly proceed at once with the work of code revision with the understanding that the introduction of general legislation should not be restricted in any manner on account of such code revision work and the committee has been assured by the Governor that if the work of code revision, together with general legislation cannot be completed within a session of the usual length that upon the Code Revision Committee making such report to him, he will immediately issue a call for an extra session for the purpose of completing the work, and the committee therefore makes the following recommendations:

(1) That the Code Commissioners' bills be immediately introduced in both houses, said bills to be numbered respectively one (1) to two hundred sixty-two (262), inclusive, general bills to commence in both houses with the number two hundred sixty-three (263).

(2) The Committee further recommends that such bills be immediately referred by the respective presiding officer to the appropriate standing committees of the Senate and House as recommended by the Joint Code Revision Committee of the Thirty-ninth General Assembly, as set out on pages sixteen hundred fifty (1650) to sixteen hundred fifty-nine (1659), inclusive, of the Senate Journal of the Thirty-ninth General Assembly.

(3) The committee further recommends that the Lieutenant Governor and the Speaker of the House of Representatives be requested to appoint a Joint Code Revision Committee which shall have general charge and oversight of the procedure and work of code revision.

W. C. Edson
C. F. Clark

Fred Himebaugh
R. O. Garber

T. J. O'Donnell
T. E. Moen
John M. Rankin
Clyde H. Doolittle
Perry C. Holdoegel
H. J. Mantz

John J. Ethell
Carl W. Reed
Ray P. Scott
J. C. Tuck
Jas. F. Johnston

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 CONVENTION

As per concurrent resolution duly adopted, the joint session was called to order, Lieutenant Governor John Hammill, President of the Senate, presiding.

The President announced a quorum present.

Senator Goodwin moved that a committee of three be appointed to notify Senator Smith W. Brookhart that the House and Senate in joint session were now ready to receive him. The motion prevailed and the President appointed as such committee, Senators Goodwin and Brookhart and Representative Garber of Floyd.

Senator Smith W. Brookhart was escorted to the Speaker's station and presented to the Assembly by the Hon. John Hammill.

On motion of Garber of Floyd the remarks of Senator Brookhart were ordered printed in the Journal.

REMARKS OF SENATOR SMITH W. BROOKHART

My Fellow Legislators, Friends and Fellow Citizens:

There is more formality about this than there is about a farm, I believe. I want to assure you that it is the proudest moment of my life. There is no time, no place prouder for me than the meeting with the legal representatives of the state of Iowa. I am not going to make a speech today; I am just going to visit with you a few moments. I just wrote down a few notes of the things that I shall briefly mention and they are rather gossip than statesmanship.

I went down to the United States Senate, in the first place on a rumor as it were. There was a rumor that there had been an election out here in Iowa and that I would succeed Senator Kenyon in that assembly. I got down there and the first thing I encountered was a question as to my credentials. Of course I did not have any credentials as yet. Walter Ramsay was awful slow counting those votes, it seemed to me, but of

course there were a lot of votes everywhere except over at Cedar Rapids, it seemed.

Th first news I received when I reached Washington was that the Senator from Michigan had resigned. That was good news to a fellow like me. I next learned that a Senator-elect is expected to call on the President of the United States and to pay his respects. As I left Iowa my distinguished predecessor, Senator Young, came down to my home town and gave me a wonderful send-off; in fact, when Senator Young came to Washington, Iowa, you could not tell from the way he talked and acted but that he was a farmer himself. Among the things he said was that when you called on the President, you waited your turn like you do in a barber shop, so on Monday morning I went early to the President's office to await my turn. I found, however, that there were three senators there ahead of me,—what kind of ducks is it you call them? Oh, yes, lame ducks, some of them. In a little while the secretary came back from the President and told those Senators that he would see them Wednesday and as soon as they got out of hearing he said to me, "Walk right in." I do not know who it was who gave me such a fine reputation from Iowa out here as to make the President of the United States so anxious to see me so quickly. I am afraid that that was either down at Atlantic or over at Marshalltown. Well, I went in, I talked forty minutes with the President. You would like to know awfully well what was said, I am sure, especially the ladies, but you know when you talk with the President, you keep your mouth shut about what was said and the President gives it out if anything is to be given out. And I am fearful that there was not very much encouragement in the talk about the ship subsidy bill for anything to be given out.

I then went over to the Senate Chamber where they convened at noon as they always do. A member of the Senate had died, Senator Watson of Georgia, and they adjourned out of respect for his name and no business was transacted on that first day. You know a senator-elect is allowed the floor of the Senate, even though he does not have his credentials, so I was allowed in there that day. The next day they convened at noon again, and at that time some history was made in this United States of ours. Mrs. Feltn, grand, beautiful old lady, past eighty years of age, was sworn in as the first woman in the Senate of the Congress of the United States and I am proud to have witnessed that formal ceremony which recognized the right of womanhood to the highest place in our legislative assemblies. The next thing of importance that occurred in the Senate was the filibuster. This was the genuine article. I took very great pleasure in watching that filibuster against the anti-lynching bill by the southern democrats because, while I was not with them at that time, I thought that possibly I might want to be using it myself at some time so I watched it to see how it worked. In the Senate of the United States they read the journal every morning—that is the clerk (John Crockett of Iowa) starts out and he gets off two or three words in a very loud voice when some Senator arises to his feet and says, "Mr. President" and the President says "Unanimous consent is granted and the reading is waived," and they proceed to other business, but when this filibuster started, the leader of it sprang to his feet and said "I object," and then

John Crockett spends more than an hour reading all of that journal. Of course time was the principal thing they wanted to kill and then when he got through objection was made to the correctness and then a motion was made to correct that and then a point of order was made and an appeal was taken from the Chair, then the vote was taken and the fellow who made the point of order voted to sustain the chair. It d'd not seem to make any difference how the vote went, so that it went. The thing was to kill time. Then one senator asked another distinguished senator on the other side some question and he answered that, then some exception was taken to his answer and that went back and forth for an hour, and then the Senator asking the first question thanked him very kindly for occupying our Senate's time in the interest of the filibuster, although of course he was opposed to it. Then in two or three days they held a caucus and decided to drop the anti-lynching bill, and that filibuster was over.

Along about that time I received a letter from Governor Kendall and the letter recited that an election had been held out in the state of Iowa and that Smith Wildman Brookhart (I guess that Wildman made them all want to see me) had been elected to fill the vacancy caused by the resignation of Senator Kenyon. I was very glad, of course, to receive that letter. I wrote right back to the Governor and told him that I should like to have a picture of himself to hang on the mantel, that anyone who would send me a letter like that was entitled to have his picture in my office and then the Governor is a very fine looking man, anyway, you know. I received it all right and then on the second day of December, Saturday, I went down and stepped up on the first step of the rostrum and the Vice-President of the United States administered the oath, one similar to the one I had taken three times in the army in the service of my country, whereby I swore to oppose the enemies of my country both foreign and domestic. Then I took my seat in the Senate of the United States. That all happened about six weeks ago and I want to call your attention to the fact that the government of the United States still stands, and up to the present time I have had no word from Kate O'Hare. Honestly I believe the I. W. W.'s are clear blown up. Further, there is not an ex-governor in sight anywhere around here. Under these circumstances I want to say to you that service in the United States Senate is exceedingly pleasant.

The one great issue of this short session is the ship subsidy bill. There is a proposition in that worthy of the deepest consideration of the whole American people. The question is, whether we shall go ahead levying taxes upon all of the people to pay a subsidy to some private business, or find a real American way to handle this question. The facts that have brought this issue are something like this: The government of the United States now owns, has paid for with the money which you subscribed in your Liberty bonds, almost eleven million tons of shipping. Those ships are of the latest construction and design. They were finished mostly since the armistice was signed and the design was changed so that they would not be war ships but would be the commercial ships of peace. At this moment over seven million tons of those ships are tied up with no cargoes—nothing with which to load them. Every nation in

the world has ships tied up waiting for cargoes. This proposition is to sell those ships at this time when there is no market for them and then pay part of the money, only a small part of it, to them as a bonus or subsidy for being operated afterwards. Out of the thirty million, as the President estimates it, and about sixty million, as others estimate it, there will only be about four or five million of that subsidy which will ever go to the carrying of farm products. The balance will go to the building of new ocean greyhounds, fastgoing ships on which the fastgoing people ride. It seems to me that the proposition is such that no business man in the world, if he owned those ships today and was able to hold them, would offer them for sale at this time, and yet a lot of those big business men now urge it upon the Congress of the United States to sell and dispose of those ships at a great loss, at almost an entire sacrifice, at a time when he himself would never think of doing such a thing. Not only that, but this ship question was somewhat in the issue in this election. I went about over this state talking to the common people and occasionally to a politician who once in awhile showed up to find out what I was saying. In these meetings I estimated that I talked to about 335,000 people and I asked them the question, whether or not I should support this ship subsidy bill, and I asked all who favored the support of this bill to raise their hands. In the whole state of Iowa there were but two hands raised and one of them was a lawyer and the other was crazy. Therefore, I felt that upon this question I went to the Senate with a mandate from the sovereign people of the United States. In this country the voice of the people is the sovereign power and I hold it the duty of every department of this government to obey that sovereign voice. When an extra session was called a lot of our leaders decided to disregard this voice and to force the ship subsidy bill through. I pronounce that proceeding a filibuster against the sovereign voice of the people of the United States, and when I first spoke in the Senate I registered my promise to fight that filibuster until March 4th when the new Congress comes in. Over in the House the bill passed by a majority of only 24 votes. Among the number who voted for that bill were 69 of the lame ducks who will retire from Congress on the 4th of March and that will change the majority from 24 for the bill to 90 against it. I want to say to you that all of the congressmen from Iowa voted against it, even the congressman from Cedar Rapids.

At about this state of the proceedings, there walked into the Senate one day the best looking business man who took a seat beside me. He immediately said to me, "I am glad to be next to a progressive." His name was Jim Couzens and he hailed from Detroit, Michigan. Jim and I talked over this ship subsidy legislation and this situation of the farmers throughout the United States and we decided it would be a good thing to substitute some farm legislation for consideration instead of that ship subsidy bill and we decided to organize a little bloc to see what could be done, so we mingled among the senators and found that some of them were anxious to do the same thing. I went to a distinguished senator and told him that I thought we ought to make a motion here to substitute for consideration the farm marketing and farm credit legislation and he said, "Oh, my, do not do that, that would put me in an

awfully deep hole." I said to him, "You are a tall man and can climb right out and help us do it," and he agreed to that. Then some way or other those eastern papers found out something about that talk going around and in Boston, New York, Baltimore and Philadelphia they filled their pages and editorial columns with stories about the insolence and impudence of the work of those two babies in the Senate, who had actually upset the whole administration's program of putting through the ship subsidy bill at this short session and that they were going to do something for the farmers instead, and the spanking they recommended for us would not do to repeat here today. Day before yesterday, the farm legislation was substituted for the ship subsidy bill and the latter is now standing on the side track. The next move is to rush that farm legislation through as quickly as possible to open up that side track again. We are not in any hurry about that farm legislation. It is not a very good bill, anyway; it needs to be amended in several very vital particulars and we will take care of that if we can and improve it a great deal and there is plenty of room. After that is over we can certainly read enough scriptures into the record between that and the 4th of March to defeat the ship subsidy bill.

Of course you remember a great deal of talk about the radical Brookhart who would get tamed down when he reached the Senate. I have got tamed down a whole lot up to date. No, the lessons of my experience down there are more than ever to the conclusion that the common people of this United States must fill that Senate and that House not only with men who are in sympathy with their ideas but with men who are willing to fight to the finish.

That is about all I can say of what has happened during my experience in the Senate. I do not know whether I ought to advise you about what you do out here. I have troubles enough of my own down there but you have invited me to speak, you have brought me before you in this magnificent manner and I shall conclude by making a few suggestions about matters in the state, especially as they may be related to national affairs. I admire the Governor's magnificent program. You may not agree with every item in it, but keep in good humor. There are no matters of principle over which you disagree and it will come out all right. But there are a few things in this state that require the highest order of nerve and the high determination to fight through to a finish if the rights of the people are to be protected. The Governor has recommended a utility bill in reference to telephones. I believe the question of control of public utilities properly, thus rendering justice to them and at the same time protecting the rights of the people is one of the greatest in this country, and I have received more illuminating instruction relative to that matter since I sat beside Jim Couzens than I ever have before as he is one most experienced in that field. Whatever policy you adopt in this legislature, and I know this is a fighting, laboring, common farmer legislature because I met you over and over again in the campaign, —whatever form of bill you pass, it should be one which protects the rights of the people. I watched Webb Byers almost single-handed and alone, making the fight in reference to street railways in the city of Des Moines, and he was tied hand and foot by restrictions of the law. One

Senator showed me a bill to remove this restriction in the constitution by permitting the state to engage in certain lines in the financing of the farming business. All of those suggestions are good. They are in the right direction. If you are going to have a government of the people, by the people and for the people, the old restrictions that applied in the old days before we had railroads and before we had utilities must be removed to give you a chance, and if the city of Des Moines had had the law arranged by constitutional amendment or statute so it could have taken over the financing of the street railways itself and had had such power, then it could have talked on equal terms with the owners of those utilities, but these restrictions prevented all that, and without any power even to act in its own interest, the battle was fought out as a one-sided battle.

Upon the question of credit, we have found in the investigations down in Congress that as a general thing the bankers oppose any change in the credit system unless it is arranged through them in some way. Now that is all right except they have arranged the banking system so it does not fit the great business in the state of Iowa. Of the 1,900 bankers in Iowa, not a one bases its credit system upon the agricultural turn-over. They base it upon the commercial, therefore we must make some change if agriculture is properly financed at any time. We have looked over the precedents for this and the only one that has succeeded is a system of co-operative banking, the Rochdale system of Great Britain, which has succeeded beyond any of this country; has its own co-operative banking department with a turn-over of two and a half billions in 1919, all under its own control, and the farmers of Iowa are entitled to have permission under the law to reorganize their banks so they will have this co-operative control and the use of their reserve funds.

The other proposition that I desire to mention relates to the primary election law. I want to say to you that the vote, the ballot, is the one sovereign act in our country. Every citizen has the right to cast his ballot without interference from any other power on earth; that is the sovereign power of our country. He has the right to do the same thing in a primary election that he has in the general. Every office that is important enough to be voted upon by the people at large in a general election is important enough to have its candidates named by the vote of those people. I think the 35 per cent clause ought to be repealed. We had a convention that wanted to repeal something in that primary law anyway. Let us repeal that and that will fix things so that the people will nominate every candidate for every office by their direct vote every time which they have the right to do. Then you will have no need for these delegate conventions to nominate anybody. Formulate the platform and call a convention of the responsible nominees of the party. You, as members of this General Assembly, are the ones who will carry out the platform of your party if it ever is carried out. You are the ones who ought to write it. You are the ones who ought to say how you stand on it. You need no political boss to stand around, telling you what to write in that platform, and then it would save these corporation attorneys lots of work in writing these platforms; and above all these suggestions and of the very greatest national importance, is the suggestion that we have a presidential preferential primary so that you

can vote direct for your candidate for president of the United States and give to the winning candidate the right to select his own delegation to the national convention so he will have a loyal and a fighting delegation. That may involve a change of the date of the primary, but a month earlier in presidential years would be even better anyway. There can scarcely be a worse date for the farmers of the state than the one we have now, so there is nothing in the way of bringing about this thing which will give to the people a direct voice in their government. The biggest business we have is this government of ours and it is the most important and I say that these common people who are entitled to name the responsible officers in this government by their majority vote have reached the stage when they mean to have their government in their own hands. They have reached a distinct stage of organization; the farmers are speaking all over this country as farmers; the fruit growers of the Pacific Coast and the cattle growers of the mountain states, the cotton growers of the south, our own grain and stock growers in the middle west and the dairymen of the east are all talking the same thing. They are not only doing that, but they have worked out a harmony with the other producing labor of this country. They have found out that out of the dollar which the laboring man pays for the product of the farm, the farmer gets thirty-seven cents, and they have found out that out of the dollar which the farmer pays for the products of labor, the laboring man gets thirty-five cents and, with a knowledge of these facts, the labor of the country has decided that it will no longer fight all of the farmers all forenoon in order to try to reduce the farmer's little thirty-seven cents, and the farmer has reached the decision that he will quit trying to fight labor all afternoon in order to reduce labor's little thirty-five cents. There are no more important economic facts in regard to our present situation, our whole present civilization and these common people are entitled to act upon those facts, and they have acted upon those facts and that is why I am representing them in the Senate of the United States. I thank you.

Leonard of Taylor moved that the joint session be now dissolved. Motion prevailed.

The Senate returned to the Senate chamber and resumed session.

RESOLUTION FOR CROSS-REFERENCES

Senator Stoddard offered the following concurrent resolution:

Be It Resolved by the Senate, the House concurring, That all bills introduced in this session and containing a reference to any section of the Code of 1897, or of any supplement thereto or of any session law shall, immediately following the reference to such section, contain in parentheses a reference to the corresponding section, if any, in the Compiled Code or in the Supplement to the Compiled Code.

Said reference to the Compiled Code or to the Supplement to the Compiled Code shall not be considered any part of the law.

By unanimous consent the resolution was taken up and considered. Senator Stoddard moved its adoption.

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

Ayes—29

Abben	Cessna	Horchem	Scott
Baird	Ethell	Mantz	Schaff
Banta	Fulton	Mead	Shane
Brookins	Goodwin	Newberry	Slosson
Buser	Hale	Olson	Snook
Caldwell	Hartman	Reed	Stoddard
Campbell	Holdoegel	Romkey	Watson

Nays—none**Absent or not voting—21**

Adams	Chase	Johnston	Price
Bergman	Darting	Kimberly	Rees
Bowman	Dutcher	McIntosh	Shinn
Brookhart	Gilchrist	Nelson	Smith
Browne	Haskell	Perkins	Tuck
			Wichman

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

CODE REVISION—REPORT OF THE COMMITTEE ON RETRENCHMENT AND REFORM OF THE THIRTY-NINTH GENERAL ASSEMBLY TO THE MEMBERS OF THE FORTIETH GENERAL ASSEMBLY, OF THE STATE OF IOWA

To the Members of the Fortieth General Assembly of the State of Iowa:

The Thirty-ninth General Assembly of the State of Iowa under and by virtue of the provisions of Chapter Three Hundred Thirty-three of its session laws, charged this Joint Committee on Retrenchment and Reform with certain duties pertaining to the subject of code revision.

Those duties this committee has endeavored to perform, and begs to respectfully present herewith its report as to the present status of revision of the laws of Iowa.

Chapter 333 of the laws of the Thirty-ninth General Assembly imposed upon the Committee on Retrenchment and Reform, following the closing of the session, certain duties in relation to the work of code revision, long in contemplation. The committee presents this report of its action and in that connection and for the assistance of the members of the Fortieth General Assembly, has deemed it important to review briefly the history of code revision in Iowa from the enactment of the first Code, that of 1851.

CODE OF 1851

By an act approved January 25, 1848, the First General Assembly appointed a committee "to draft, revise and prepare a code of laws for the State of Iowa". The committee duly reported, and by an act approved April 5, 1851, the Code of 1851 was adopted.

CODE OF 1860

In 1857 the state adopted a new constitution, and the Seventh General Assembly by resolution named three commissioners "to prepare and report to the Judiciary Committee of the two houses a code of civil and

criminal procedure, and such changes as may seem necessary to harmonize existing laws and adapt them to the new constitution, and to revise and codify the general laws of the state so far as practicable". The commissioners found it impossible to complete their work during the session, and they were by law directed to report by September 1, 1858. They reported to the Eighth General Assembly in January, 1860. Their work was merely a rearrangement of existing law and was adopted as the "Revision of 1860".

CODE OF 1873

By an act of the Thirteenth General Assembly, approved April 7, 1870, three commissioners were named "to carefully revise the statutes of this state, rewrite the same, omit obsolete parts, insert all amendments, transpose words and sentences, and when necessary to change the phraseology". This commission reported to the Fourteenth General Assembly which thereupon undertook to act on the report at the regular session. After struggling with the problem from the opening of the session until April 17th, it gave it up and by resolution called for an extra session to complete the task. The extra session convened January 15, 1873, and enacted the Code of 1873.

MCCLAINE'S AND MILLER'S ANNOTATED CODES OF 1880

Mr. Emlin McClain in 1880 issued an annotated *compilation* of the laws enacted to that date, known as McClain's Code. A similar annotated compilation, known as Miller's Code, was issued by Judge Wm. E. Miller. These compilations (not revisions) were recognized by legislative enactment, and with some later supplements were in common use until the enactment of the Code of 1897.

CODE OF 1897

The Twenty-fourth General Assembly appointed a commission to revise the revenue laws and report to the Twenty-fifth General Assembly, which was done. It became apparent to the members of the Twenty-fifth General Assembly that the laws could not be revised piece-meal and that a general revision was necessary. Thereupon a bill was enacted providing for appointment of five commissioners "to carefully revise and codify the laws, rewrite the same and divide them into appropriate parts and arrange them into titles, chapters and sections, omit all parts repealed or obsolete, insert all amendments to make the laws complete, transpose words and sentences, arrange the same into sections or paragraphs, number them, change the phraseology and make any and all alterations necessary to improve, systematize, harmonize and make the laws clear and intelligible". This commission reported to the Twenty-sixth General Assembly at the opening of its session in January 1896. The Assembly undertook the work of code revision in addition to its regular work, and continued the effort until April 11, when it "found itself unable to complete the work, and a concurrent resolution was adopted setting forth the difficulties and labor involved, that the value of the work would depend upon the care exercised, that its importance demanded ample time for thorough consideration, that it was deemed advisable to secure the benefit of the

knowledge, experience and work of members of the Twenty-sixth General Assembly, and that the public interests required that the Code should be adopted and published at as early a date as possible".

In December, 1896, Governor Drake called an extra session which convened January 19, 1897. It took up the work of code revision and remained in session until May 11. A recess was then taken until July 1, when it convened, took formal action on the completed Code, and adjourned July 2, 1897. The experience of the Fourteenth and Twenty-sixth General Assemblies in their efforts at code revision is fully set forth in volume 11 of Iowa Journal of History and Politics in an article by Clifford Powell.

At the same session provision was made for indexing and annotating the Code of 1897. This was later done, the indexing under editorship of E. C. Ebersole, and the annotations by Emlin McClain

SUPPLEMENTS TO THE CODE OF 1897

From time to time after the enactment of the Code of 1897 supplements thereto were issued. Two only remain in general use, namely, the Supplement of 1913, and the Supplemental Supplement of 1915, authorized respectively by the acts of the Thirty-fifth and Thirty-sixth General Assemblies.

Since 1915 (and before printing of the Compiled Code of 1919 later herein referred to at length), the statute law of the State of Iowa is found scattered through the following volumes, to wit:

- (1) Code of 1897.
- (2) Supplement of 1913.
- (3) Supplement of 1915.
- (4) Session Laws of Thirty-seventh General Assembly.
- (5) Session Laws of Thirty-eighth General Assembly.
- (6) Session Laws of the Thirty-ninth General Assembly.

Twenty-five years have elapsed since the last revision of the Code, in which period the statutory law of the state has grown with the growing complexity and expansion of the life of the state. Some indication of this is shown when we consider that the Code of 1897 contained 5,718 sections, while the Compiled Code of existing law, published in 1919, contains 9,589 sections, and since the latter date the Thirty-ninth General Assembly has held its session.

PENDING CODE REVISION

The confusion, duplication, uncertainty and inconsistency in the law, resulting from more than 25 years of legislative action since the enactment of the Code of 1897, has resulted in the general conviction that a new revision of the Code is imperative. This feeling found expression in the inaugural address of Governor Harding at the opening of the Thirty-seventh General Assembly in 1917, in which he said:

"What the people of this state want is fewer laws, plainly written, easily understood, and well enforced. They expect you to reduce the number of laws; expect you to put them in such shape as that the average man may read as he runs, and patriotically obey. This is a task too large for a single session. I therefore recommend that a body be provided by

this legislature, to report to the succeeding one, in harmony with this thought, their findings for action."

The governor also recommended the appointing of "a small number of skilled and competent persons, trained in the law, to edit the existing codes and to clarify and simplify them". A bill providing for code revision, introduced by Senator Van Alstyne, passed by an overwhelming vote in the Senate, but was lost in sifting committee in the House in the closing days of the session.

ACTION OF THIRTY-EIGHTH GENERAL ASSEMBLY

At opening of Thirty-eighth General Assembly the matter was again taken up and by a practically unanimous vote in both houses a code revision bill was enacted, obtained the governor's signature and became effective March 18, 1919. This law did three things, namely:

(1) It provided for a commission of three members, one of whom should be the Code Editor, and declares that the "commission shall carefully edit and codify the laws of Iowa, omitting all laws or parts repealed, omitting all laws of local or temporary character, and all annotations and decisions, and collect such general laws of Iowa, including such laws of the Thirty-eighth General Assembly, printed and bound in one complete volume in such shape as to be amended and adopted as the permanent code of the state".

(2) A second duty was enjoined as follows: "Accompanying said proposed code, the commission, and after its discharge the code editor, shall submit a report to the legislature calling attention by reference to section of the Code, to all repealed laws by section and reference to the session repealing same and calling attention to such portions of the laws as may be found to be conflicting, or redundant or ambiguous or such as otherwise require legislative action to make clear; and shall include in such reports the comments and recommendations of the commission or editor upon the subject of any part of said code."

(3) It provided for annotations of the proposed code "to be printed in a separate volume arranged in the same way as to divisions, titles, chapters, and sections, as the edited code containing the annotations of all statutes construed by the supreme court of Iowa, and the federal courts, which book of annotations shall continue to be edited by the code editor up to date from time to time and printed, sold and distributed in the same manner as the code."

The law further declared "the great necessity for the adoption" of code revision and requested the Governor "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."

The commission selected under this act consisted of the Code Editor named by the act, and Hon. James H. Trewin of Cedar Rapids, and J. C. Mabry of Albia, named by the Governor.

COMPILED CODE

Following the direction of the statute under which they were appointed, the commissioners began their first task as noted above, namely, the compilation of the existing law of the state, "omitting all laws of a local

or temporary character," same to be "printed and bound in one complete volume in such shape as to be amended and adopted as the permanent code of the state." This volume was regarded by the legislature as indispensable for use at the contemplated special session to facilitate the work of code revision. The volume was completed, printed and bound in 1919 and is entitled the "Compiled Code of Iowa." Twenty-five hundred copies were printed. This volume is in no sense the result of an attempt to codify Iowa statute law. It is merely and essentially the gathering together of existing laws of the character mentioned above, with some re-grouping of sections, chapters and titles dealing with related subject matter. Tables of cross-reference and footnotes to the sections give the corresponding sections as contained in the Code of 1897, or later statutes, and show the source from which all the statutes set forth have been taken.

COMMISSIONERS' BILLS

In carrying out the second direction of the law as quoted above, namely, to report all repealed laws, or those found conflicting, redundant, ambiguous or lacking clarity, with "comments and recommendations of the commission" as to any part of the Code, the commission in 1919 drafted and had bound into one volume 253 proposed bills, covering their recommendations, ready for action at the expected special session to be held in 1920.

Governor Harding, however, declined to call the extra session so the whole matter of code revision went over to the Thirty-ninth General Assembly.

CODE REVISION CONFERENCE OF NOVEMBER, 1920

At an informal conference on the subject of code revision, held in Des Moines, on November 16, 1920, to which all members elect to both houses were invited, and which was largely attended, the extent and importance of the work was discussed, the necessity of an extra session, and a consideration of what might be done at the regular session to facilitate the completion of the task. The conference was also attended by the code commissioners and the state officers-elect. A code revision committee of twelve, six from each house, was named to report at the opening of the Thirty-ninth General Assembly as to what might be done at the regular session to facilitate code revision at the special session. The report of this joint committee will be found on pages 21-2 of House Journal Thirty-ninth General Assembly.

The Governor in his inaugural message referred to the work of code revision as "a task of immense magnitude and incalculable importance which cannot longer be deferred" and, referring to the action of the conference of November 16, said further: "It is doubtful if it can be accomplished within the limits usually assigned to a regular session, but such progress can be made that a subsequent session, if necessary to complete it, will be of comparatively brief duration. * * * The procedure now in contemplation has been formulated by your committee after the maturest deliberation by those best qualified to consider the subject, and I believe it is the most feasible one that can be adopted in the circumstances."

ACTION OF THIRTY-NINTH GENERAL ASSEMBLY

On recommendation of the joint committee the Thirty-ninth General Assembly took the following action relating to code revision:

(1) It allotted to committees in each house the duty of checking and verifying the sections of the Compiled Code with the statutory law, and reporting to the Code Editor any changes or omissions. This was done.

(2) It deferred for action at the special session numerous bills where the same subject matter was embraced in some one of the Commissioners' bills.

(3) It passed by unanimous vote in both houses a resolution declaring the necessity of an extra session for code revision.

(4) It enacted by unanimous vote in both houses Senate File 763, being Chapter 333, Laws of the Thirty-ninth General Assembly, directing the Committee on Retrenchment and Reform to supervise certain work and make certain provision for the task of code revision at the expected special session, as is later explained in detail.

(5) It assigned to the various standing committees in each house the Commissioners' bills according to subject matter, which bills were thereupon assigned to sub-committees for consideration and report at the special session.

WORK DONE UNDER CHAPTER 333 LAWS OF THIRTY-NINTH GENERAL ASSEMBLY

Chapter 333, approved March 28, 1921, in brief directed:

(1) That the Reporter of the Supreme Court prepare and print a supplement to the Compiled Code covering all changes in or addition to the law as contained in the latter, enacted at the Thirty-ninth General Assembly, and the printing of 500 copies of such supplement.

(2) That the Committee on Retrenchment and Reform on adjournment of the regular session "provide for the preparation of such amendments to and revision of the Code Commissioners' bills as will harmonize same with the legislative acts of the Thirty-ninth General Assembly and facilitate the work of code revision." The committee was authorized to employ the former Code Commissioners, or any of them, or assistance in carrying out the work, or other assistance needed, and to employ clerical help, etc. The work enjoined by this statute has been performed and is embodied in the following bound volumes:

1st. Supplement to the Compiled Code.

This volume contains the following:

(a) All acts of the Thirty-ninth General Assembly of a general and permanent nature.

(b) A number of Compiled Code sections which have been reprinted to correct errors made in printing the Compiled Code, or to relocate the sections, or to change a cross-reference which, owing to the insertion of new sections, was no longer correct.

(c) A few sections which were inadvertently omitted from the Compiled Code and have been printed in the Supplement to supply the omission.

Any changes in arrangement are fully explained in marginal notes, the Compiled Code numbers are preserved, and additional sections are hyphen-

ated. All sections of the Compiled Code affected are entirely rewritten to cover the amendment or addition. A table of corresponding sections is attached. A new index is given but only of matters dealt with by the Thirty-ninth General Assembly.

2d. Supplement to Code Commissioners' Report.

This volume contains redrafts made by the Commissioners or amendments deemed by them to be necessary, to harmonize their bills previously submitted, with the acts of the Thirty-ninth General Assembly. A complete list of the Commissioners' bills is given and a statement as to which Commissioner revised the several bills. A table of cross-reference is furnished showing what sections of the Compiled Code and Supplement thereto have been written or repealed in the various Commissioners' bills.

3d. Briefs of Code Commissioners' Bills.

This volume gives the source of every section of the Commissioners' bills, line for line. It indicates whether the section is new matter in whole or in part, or is taken entire from some section of the Compiled Code. Explanatory notes are given explaining the reason, in the mind of the Commissioners, for any change made in existing law. In short, this volume of Briefs is an indispensable aid in any satisfactory analysis of the Commissioners' bills, and will be found invaluable to the members of the General Assembly in the work of code revision. The volume contains in the preface of the Code Editor explanation in detail of its purpose and plan.

4th. Complete Files of Bills.

In addition to the bound volumes there has been prepared in the office of the Code Editor, for each of the 158 members of the General Assembly, one complete set of all Commissioners' bills, which have been amended in any way, with all changes and amendments entered, so that each member will have a complete file on his desk.

The expected extra session to deal with code revision was not convened. The task therefore passes for consideration to the Fortieth General Assembly, to convene in January, 1923.

COST OF WORK ON CODE REVISION

The labor performed preparatory to the work of code revision will be represented on the desks of the members of the Fortieth General Assembly by the following:

1. Compiled Code, containing 2,945 pages and 9,589 sections.
2. Supplement to Compiled Code, containing 590 pages.
3. Report and Commissioners' Bills, containing 2,068 pages with 253 bills, comprising about 5,000 sections.
4. Supplement to Commissioners' Report and Bills, containing 938 pages.
5. Briefs of Code Commission Bills, containing 786 pages.

Cost of the work on code revision since the passage of the act on March 14, 1919, as set forth herein, including stationery, printing, binding, compensation of Commissioners, clerical help and all other expense, amounts at this time to about \$125,000.

HISTORY OF WORK ON ANNOTATIONS

As noted in the early part of this report, Chapter 50, Laws of Thirty-eighth General Assembly, providing for code revision also directed the Supreme Court Reporter, Mr. Whitney, on enactment of the new code, to prepare a separate volume of annotations of said code, with same arrangement of divisions, chapters, titles and sections. This work of preparation of the annotations, which cover all cases by the Iowa Supreme Court, or the federal court construing Iowa statutes, has been going on ever since the enactment of Chapter 50. Manifestly it cannot be fully completed or printed or provided with proper statutory reference numbers until the work of code revision is finished and the new code titles, divisions and sections definitely arranged and numbered. There are about 50,000 of these annotations gathered by the Code Editor awaiting completion of code revision.

Respectfully submitted by the Joint Committee on Retrenchment and Reform of the Thirty-ninth General Assembly of the State of Iowa.

SENATOR CHESTER W. WHITMORE, *Chairman.*

SENATOR HERBERT I. FOSKETT.

SENATOR ADDISON M. PARKER.

SENATOR HARRY C. WHITE.

SENATOR B. J. HOBCHER.

REPRESENTATIVE JAS. B. WEAVER.

REPRESENTATIVE E. P. HARRISON.

REPRESENTATIVE C. F. CLARK.

REPRESENTATIVE T. J. O'DONNELL.

REPRESENTATIVE L. W. POWERS.

Members.

Dated at Des Moines, Iowa, November 8, 1922.

CORRECTION OF JOURNAL

The Journal of January 10th was corrected and approved.

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

AFTERNOON SESSION

Senate met pursuant to adjournment, President Hammill presiding.

President Pro Tempore Price assumed the chair.

Roll was called to ascertain if there was a quorum present.

The roll call showed the following Senators present:

Abben	Brookhart	Cessna	Hale
Baird	Brookins	Ethell	Hartman
Banta	Browne	Fulton	Holdoegel
Bergman	Caldwell	Gilchrist	Horchem
Bowman	Campbell	Goodwin	Johnston

Kimberly	Price	Schaff	Tuck
Mantz	Reed	Shane	White
Mead	Rees	Slosson	Wichman
Nelson	Romkey	Stoddard	
Newberry	Scott	Thurston	
Total, 38.			

COMMITTEE FROM THE HOUSE

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 chambers under direction of the sergeant-at-arms.

JOINT CONVENTION

The joint session reconvened, Hon. John R. Price, President Pro Tempore of the Senate, presiding.

The President 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 11, 1923.

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 7, 1922, beg leave to make the following report of the total vote cast for Governor:

N. E. Kendall	419,648
J. R. Files	175,252
Perry Engle	8

And the total vote cast for Lieutenant Governor, at the election held November 7, 1922:

John Hammill	387,177
James C. Murtagh	177,652
John Chaney	1

All of which is most respectfully submitted.

C. M. DUTCHER,
L. B. FORSLING,
Judges.

GEO. W. POTTS,
M. L. BOWMAN,
H. C. WHITE,
GEO. W. PATTERSON,
Tellers.

On motion of Senator White of Benton the report was adopted.

President Pro Tempore John R. Price of the joint convention announced that N. E. Kendall, having received the highest number of votes cast for Governor, was duly elected to the office of Governor of the state of Iowa, for the ensuing term, or until his successor is duly elected and qualified, and that John Hammill 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 John R. Price 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 11, 1923.

This is to certify that upon a canvass in joint convention of the two houses of the Fortieth General Assembly of the State of Iowa of all the votes cast at the general election held November 7, 1922, for the office of Lieutenant Governor of the State of Iowa, it appeared that John Hammill 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 11th day of January, A. D. 1923.

JOHN R. PRICE,
*President pro tempore of the Senate and
President of the Joint Convention.*

J. H. ANDERSON,
Speaker of the House.

C. M. DUTCHER,
Teller of the Senate

L. B. FORSLING,
Teller of the House.

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

Senator Cessna of Poweshiek moved that a committee of five be appointed to notify the Governor and the Lieutenant Governor of the official result of the canvass of the votes. Motion prevailed.

President Pro Tempore Price named as such committee, Senators Cessna of Poweshiek and Wichman of Hancock, and Representatives Berry of Monroe, Knutson of Cerro Gordo and Robson of Greene.

Senator Cessna of Poweshiek, of the joint committee appointed

to notify the Governor and the 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 N. E. Kendall and Honorable John Hammill 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.

T. C. Cessna

John E. Wichman

On the part of the Senate

H. S. Berry

C. A. Knutson

Paul N. Robson

On the part of the House.

Motion prevailed and the report was adopted.

The sergeant-at-arms announced the arrival of Governor Kendall and his staff and Lieutenant Governor Hammill, who were escorted to the Speaker's station.

Invocation was delivered by the Rev. A. B. Leamer.

The oath of office was administered to Governor N. E. Kendall and Lieutenant Governor John Hammill by Byron W. Preston, Chief Justice of the Supreme Court.

Lieutenant Governor Hammill, President of the Senate, presiding.

Lieutenant Governor Hammill then presented Governor Kendall, who delivered the following address:

GOVERNOR'S INAUGURAL ADDRESS

Gentlemen of the Fortieth General Assembly, and Fellow Citizens of Iowa:

My first duty is to express my profound gratitude to the generous people of Iowa for repeated honors bestowed upon me, and to acknowledge my humble dependence upon the supreme Governor of mankind for all helpful and wise leadership. In a spirit of sober and deep humility I undertake again the great duties devolved upon the Chief Executive of a sovereign State. Respecting the administration inaugurated today I can only renew my solemn pledge that hereafter as heretofore I will say always that which I believe to be true, and do always that which I believe to be right. Upon what I shall say and do in this high station I invoke the charitable judgment of my countrymen, and the gracious favor of Almighty God.

In the biennial message recently submitted to you I noticed certain subjects of State concern, reserving for this occasion the discussion of others to be presented for your consideration.

ECONOMY

We are the custodians of a sacred trust and we are under the most imperative obligations to our constituents to discharge that trust with unwavering fidelity. We must transact the business to which we are commissioned as carefully as we would transact our own, and we must enforce the most rigid economy at all compatible with the general welfare. The people will cheerfully contribute to the maintenance of their government properly administered, but they are now staggering under taxes which consistently increase while the income of the citizen remains stationary or suffers diminishment. The situation must be encountered with vigor and determination, and every avenue of retrenchment must be entered immediately and pursued unvaryingly. We must save wherever saving is possible, cutting expenses not merely to the quick but to the bone, for the cost of nearly everything we have to buy is excessive, while the price of nearly everything we have to sell is subnormal. In the days which are before us we shall be solicited for appropriations of numberless variety aggregating a stupendous total, all to be extracted directly or indirectly from the already overburdened resources of the taxpayers. It is a time for conservative sanity. Concerning each appropriation requested at our hands certain sensible tests may well be applied: (1) Is it necessary that it be granted at all? (2) Is it necessary that it be granted to the extent demanded? (3) Is it necessary that it be granted now? If, without impairment of the public interest it can be denied altogether, or reduced in amount, or deferred to a more prosperous season, the alternative should be embraced as the case may be.

AGRICULTURE

Iowa is an imperial commonwealth with thirty-five million acres of the most varied, the most responsive, the most productive soil in the world. In this favored empire there are in rich profusion all the underlying elements of unprecedented plenty, and yet during the past three years we have experienced an adversity almost more distressful than any in our history. Everybody recognizes that while our manufacturing and mining and banking and merchandising are considerable in their magnitude, agriculture is our fundamental industry, and that unless it is prosperous there is no prosperity for anybody. And since the termination of the great war it has not been prosperous. The condition of the farmer has been grievous, and it must be relieved if our permanent well-being as a people is to be conserved. We have depicted farming as the most independent of all vocations, but with the present system of production and marketing, it is an exceedingly precarious undertaking. Every crop is an adventure of uncertain issue. If nature is munificent, there is a surplus which gorges the exchanges; if she is miserly, there is a shortage with nothing to sell. Agriculture is the only business in the world which is devoid of any influence whatever in determining when it shall dispose of its out-put, or what it shall receive for it. It must convert its products within sixty days from harvesting, and it must accept the offerings tendered however uncon-

pensatory they may be. There is in the State as I speak to you today a tremendous superabundance of food essentials—the result of hard and unremitting toil expended in conjunction with beneficent sunshine and rain. If there were any just or rational relationship existing between the price of what the farmer has to sell and the cost of what he has to buy, his circumstances would be measurably comfortable. But at this moment he exercises not the slightest control over selling prices or buying costs, and in the distorted ratio between the two his income has fallen below pre-war levels while his out-go has risen above them. Other activities have been organized to the remotest detail, but not his own, and he must sell where he encounters unlimited competition, and buy where he confronts unrestrained combination. As a result, he is not awarded a proximately fair share of what his labor creates. The last report of the Department of Agriculture illustrates this striking proposition: That using the years 1913 and 1922 as indexes, the prices of other commodities, are thirty-six points out of adjustment. That is, the purchasing power of an agricultural unit—its exchangeability in other products—is only 64 per cent of what it was nine years ago. It is not difficult to perceive the destructive consequence of this economic injustice. Hundreds of good farmers in Iowa, occupying good land and husbanding good crops, have been operating at a loss which prefigures eventual ruin. Their capital is impaired or extinguished, and they are overwhelmed with overdue indebtedness contracted in an effort to maintain food production for a hungry world. They cannot survive the high interest rates and the short maturities common to business and commerce where the returns are more remunerative upon a briefer overturn, nor the excessive carrier charges which are deducted from the price of what they sell from the farm, and added to the cost of what they buy for the farm. The State has recently witnessed a spectacle with which it had become almost unfamiliar in the unusually heavy advertisement of real estate for sale to satisfy delinquent taxes. Gentlemen, I disavow any imputation of pessimism; and I insist that I am not overdrawing the facts. For the past two years the executive office has been a clearing house for the misfortunes of Iowa, and I have become acquainted with the sore strait of the Iowa farmer. The truth is, and the confession cannot be longer delayed, that speedy provision must be made whereby he can be financed for an extended period of time at a low rate of interest until a complete readjustment shall reestablish the equilibrium which formerly prevailed. The local fountains of credit upon which he has in the past depended are insufficient to the emergency. In the stringency which has persisted throughout two seasons the banks have exhausted every resource at their command in the granting of original extensions and subsequent renewals; but the requirements were too vast. Assistance to be commensurate must be appealed to from outside the regular reservoirs of money supply. I believe that one of the most helpful and far-reaching achievements of this Congress, Republicans and Democrats alike, was the re-galvanization of the War Finance Corporation, and the assignment to it of a billion dollars to counteract the horizontal deflation inaugurated by the

Federal Reserve Board. It cannot have been forgotten that early in the year 1920 that Board announced a radical liquidation of loans, entailing incalculable catastrophe upon farmer debtors everywhere. We say no word in derogation of the Federal Reserve system, *as a system*. It was an invaluable aid to us in winning the war—we could not have won it so early, perhaps we might not have won it at all—without that splendid instrumentality. But we deprecate the hurtful policy it adopted afterwards, involving the enrichment of the few and the impoverishment of the many. When the stress of the great conflict was over, without any preliminary warning whatever it decreed a nation-wide restriction of credit. The banks were in no degree responsible for it, indeed many of them were victims of it, and all of them exerted themselves almost beyond the boundary of prudence to protect their rural borrowers. I reiterate here what I have said elsewhere repeatedly: Some day it will be understood that in the financial crisis precipitated by the misguided action of the Washington authorities, the Iowa banker performed as patriotic a service as any he rendered while the civilization of the world was in jeopardy. The appalling evil which descended upon us is attributable exclusively to the arbitrary management of the Federal Reserve Board, and that evil had to be corrected without delay to avoid the total insolvency of agriculture. The War Finance Corporation furnished relief to the amount of more than five hundred million dollars, thus rescuing thousands of farmers from impending disaster. But that was only a temporary expedient, and I profoundly feel that Iowa must initiate a comprehensive and forward-looking program to guarantee her farmers against the recurrence of such a calamity as they have endured the past two years.

Last August one of the great state conventions, by formal resolutions, requested the appointment of a committee "to make a thorough inquiry and investigation into marketing and rural credits." In pursuance thereof, five strong and capable men were designated, each of wide experience in agriculture, and of keen appreciation of its present demoralization. The intensive study they have prosecuted has been entirely gratuitous and without expense to anybody but themselves, and I believe the result of their deliberations will be of substantial benefit when they are submitted to you. The problem of the disposition of farm products after such fashion as shall eliminate the spread between the producer and the consumer cannot be overestimated in its importance. Of the dollar we pay for any staple of Mississippi Valley culture, only thirty-two cents reverts to the man whose industry produced the article. The balance is absorbed by agencies which intervene between raiser and eater. This is a shocking exhibition of business stupidity. In Denmark, through an efficient system of co-operative marketing which excludes the commission and profits of all middle-men, the producer is assured ninety-two cents out of every dollar of his product, and the consumer participates in the provident arrangement. The American people may well imitate the sagacity of their Scandinavian neighbors across the sea. We have largely mastered the best methods of production, but we have not yet devised the profitable distribution of our accumulated

surplus. The Norris Bill now pending in the Senate of the United States contemplates the creation of a gigantic corporation to be supported by the Government for the purchase of agricultural products direct from the producer and their sale direct to the consumer without intervening charges except for operating expenses. It takes cognizance of the patent fact that the first seller gets too little, while the last buyer pays too much, and it erects machinery which it is hoped would remedy the mischief. However laudable the purpose of the measure, it is improbable that it ever will be enacted into law, as it is likely to be conceived as too revolutionary. But it ought to be the forerunner of some plan which certainly can be projected for more orderly crop marketing whereby agricultural products may be deposited under public supervision in public elevators, the authentic receipts therefor to be hypothecated in the ordinary course as the basis of credit. Better still it would be if the products could be certificated against in the crib or granary of the owner, thus withholding them from the possibility of speculative exploitation. The Congressional Commission of Agricultural Inquiry, after nine months of exhaustive study, reports its belief that

"It should be possible to develop a system of commodity exchanges through which such commodities * * * will move directly from areas of production to points of use under prior sale without the necessity of previous inspection and with the assurance of delivery of a product by grade conforming to the consumer's requirement."

It is conceded that we must evolve a better method for the distribution of agricultural products than their simultaneous dumping into concentration centers for a market. We must render it practicable to deal in such commodities on paper, and they must move from the areas of production to the points of consumption under prior sale, or an assurance of use at destination equivalent to sale. I believe there is no reason why, in the extension of agricultural credits, the paper secured by the commodity held by the original producer should not be regarded as eligible for rediscount through the Federal Reserve system. All this presupposes nothing for the farmer not in accord with the highest general welfare. Much of the radical legislation introduced to the alarm of some of our people arises as the penalty for inexcusable delay. It can be avoided only by the adoption of a definite and constructive policy which shall be as just to farming as it is to any other business.

The perfection of a feasible method for financing the farmer on real or chattel security, for a protracted period of time, at a reasonable rate of interest, is a subject also of outstanding moment. So far as I personally am concerned I do not hesitate to say that I am strongly attracted by the system of rural credits so successfully operating in South Dakota, and about to be established in Minnesota. Under that system the bonds of the commonwealth bearing $4\frac{1}{4}$ per cent interest are sold, and the funds realized from such sale are loaned to actual farmers for the purchase of equipment and live stock, the construction of improvements, the cancelling of pre-existing indebtedness, and the acquisition of additional acreage. No loan may exceed 60 per cent of the farm value plus 40 per cent of the improvement value, nor in any event to

one individual the gross sum of \$15,000. Every loan shall be secured by a first mortgage on real estate, and shall be repaid by a process of gradual amortizement within thirty-five years, or earlier at the option of the borrower. The margin of $\frac{1}{4}$ per cent between the borrowing and loaning rates defrays all overhead expenses, and assembles a sizable surplus to indemnify against loss from fraud or default. The State simply marshals its financial resources for the relief of its citizens, without the expenditure of a single penny from the treasury. It has invited \$60,000,000 of eastern capital into the domestic channels of South Dakota, thereby alleviating conditions otherwise irreparable. Governor Norbeck, one of the ablest men in the northwest, says:

"The plan is a simple one. The State borrows the money from bondholders outside and loans it to farmers inside; collects from the farmers as their loans mature, and pays to the bondholders as their bonds mature. It is a remarkable fact that out of 4,186 borrowers only 25 are in arrears, and they only for a short time."

The Aberdeen Journal, one of the leading newspapers of the State said in a recent editorial:

"The writer was among those who had but little faith in the rural credits plan when it was first installed, but under the conditions which have developed since, it is difficult to understand how the agricultural industry could have gotten along without the assistance it gave the farmers."

And this appears to be the conclusion in South Dakota of those best informed. The question was at issue last November, and the electors expressed their unqualified satisfaction with the system.

I do not apologize for devoting so much attention to the agricultural interest. At this juncture its problems are immensely vital, and they are entitled to your most serious and sympathetic consideration.

TAXATION

The 39th General Assembly, recognizing the pressing need for a drastic overhauling of the revenue statutes of the State, created a Commission composed of Senators and Representatives to consider and report of the entire matter. I have not had opportunity to devote adequate study to the recommendations of the Commission, but I am familiar enough with the present laws governing the assessment and collection of taxes to know that they are in many instances ambiguous, in others unworkable, and in still others unjust. Valuations of like property in similar surroundings vary so widely that the exactitude of the methods by which they are arrived at may be sharply challenged.

The taxation units in the State are the town and the township. Property in the town is valued for assessment by the town assessor, and property in the township by the township assessor. There are, perhaps, two thousand assessors in the State, each living intimately among the taxpayers whose property he must value for assessment. Naturally he prefers popularity rather than odium—the approval rather than the condemnation of his associates. It is more comfortable to enlist applause than it is to encounter antagonism. Is it surprising that the

local assessor is influenced somewhat by his immediate environment? The property he must value for assessment belongs to his neighbors, whose friendship he is indisposed to forfeit. Their taxes will be higher or lower as his valuations are higher or lower. Inevitably favoritism, unfairness and inequality result.

The Commission proposes, as I understand it, that the county be established as the taxation unit; that a county assessor, with jurisdiction co-extensive with the county, supersede the town and township assessors; and that a State Board of Assessment and Review appointed by the Governor with the consent of the Senate be invested with final control over all assessments, county, township, town and individual. The innovation offered is radical, and while it impresses me as one of much merit, I am constrained to confess that I have not reached a fixed conviction upon it. It is remitted to you as worthy of your serious consideration.

The Commission also recommends that all property be assessed at 100 per cent of its value instead of 25 per cent, as now. This is altogether logical as simplifying the matter of assessments. The change would have no effect to increase the total amount collected as taxes, but it would reduce the millage levy under which those taxes are collected. To suggest a concrete example: The State levy is now 9.11 mills on a valuation of \$1,083,488,689; by the new provision it would be 2.27 mills on a valuation of \$4,383,794,756. To employ a phrase we all understand the proposition is precisely as broad as it is long. I supported this amendment repeatedly years ago on the floor of this House, and I still adhere to it as wise and salutary.

I must not invade the province of the Commission you have created, but I cannot forbear to say that while you are revising the Code the revenue laws should be rewritten and modernized to insure that equality of burden may be as nearly approximated as possible, and that no description of property be permitted to escape its fair contribution to the public treasury. Every dollar in the State, no matter how invested, should be required to answer the tax levy in some degree exactly as it is answered by real estate and live stock and town lots and bank stock and merchandise. If one species of holding is allowed exemption the imposition upon all others is correspondingly augmented, and this is an injustice which should not be tolerated.

I venture to submit further that in my judgment no treatment of the tax laws will be equitable unless it provides that in the assessment of agricultural property paramount consideration be accorded to the productive earnings of the land. There was recently published a computation, which may or may not be accurate, that in 1919 a farmer with 300 land produced a gross income of \$80 per acre, while in 1921 the same farmer with the same land produced a gross income of only \$27.50 per acre. This is a striking decline in receipts, and taxes should have declined correspondingly. But the contrary was true. In 1919 when the land yielded \$80 per acre the taxes were \$1.25 per acre, while in 1921 when the land yielded only \$27.50 per acre the taxes were \$1.62 per acre. That is, in 1919 the proportion of gross income absorbed in taxes

was about 1½ per cent, while in 1921 it was nearly 6 per cent. This situation cannot be continued indefinitely. I have concluded after much reflection, as I believe you will do, that our visible property is bearing a larger measure of the burdens of government than can be equitably imposed upon it, and that sources of revenue not yet explored must be made available. There will be, of course, pronounced differences of opinion respecting the sources which should be selected. There has been advocated a tax (a) on motor oils, (b) on amusements, (c) on incomes, (d) on corporate franchises, and perhaps on cigars. Each of these taxes save the last, I believe, has been employed in other states with wholly satisfactory results so far as the revenue produced therefrom is concerned. I refrain from discussing them in detail further than to inquire: The tourist and joyrider who wear and injure the highways—why should they not share in their maintenance? Those circumstanced for the luxury of amusements—why should they not surrender a penny in ten for the privilege? The specialist with corpulent earnings but without physical property—why should he not respond to the State ratably with his patients? The corporation granted special immunity as such by the law—why should it not return a moderate charge in virtue of the immunity? The slave of the cigar—why should he go free while the devotee of the cigarette is mulct? Can we ignore the elementary axiom that those with ability to pay never should be excused from payment?

The statutory levy upon moneys and credits, as compared with the levy on other forms of property, is far more generous to the holder than it should be. A thousand dollars in cash or securities does not pay, I am informed, more than 35 per cent of the taxes paid by a like amount in lands or buildings. Notwithstanding this patent discrimination, it is notorious that a volume of moneys and credits almost incredible in its dimensions is at present undisclosed to the assessor. This evil should be dealt with in a summary manner. Too often the lender exacts interest high enough to indemnify him against the payment of taxes, and then shirks the payment of the taxes. The collectibility of notes, mortgages and negotiable paper generally might well be made dependent upon their having been reported for taxation.

The assessment of railroad property is consummated after infinite difficulty. With perfect solemnity the company assessed insists upon one value before the Interstate Commerce Commission for rate-making purposes, and with equal solemnity upon a vastly lower value before the Executive Council for tax-fixing purposes. Unless the assessing body is inclined to accept without reservation the valuations tendered by the corporation itself, tedious and expensive litigation is precipitated. The dispute is one over a matter exclusively internal, and it ought to be determined in the tribunals instituted by the State to adjudicate controversies arising between its citizens. But the dissatisfied carrier rejects the organs of redress proffered by the commonwealth. Seizing the fifth amendment to the Constitution in one hand and the fourteenth in the other it hastens elsewhere to a forum always open for the relief of the oppressed, and injunctive process promptly issues upon *ex parte* application. This is lawful, of course, but the wholesome reforms will not all be

accomplished until the Federal courts are expressly denied the jurisdiction they now assume in purely domestic concerns. The just assessment of railroads is a perplexing problem, but that problem can be relieved somewhat if proper weight be attached to the valuations certified by themselves when seeking exorbitant tariffs for the transportation of freight and passengers.

I am embarrassed in the discussion of the taxation question, as I have said, because the report of the Commission has been delayed, but I am advised that it will presently be before you for examination. It should be accorded your most intelligent and dispassionate scrutiny.

LAW ENFORCEMENT

At my instance, the Thirty-ninth General Assembly assigned all the instrumentalities of the State for law enforcement to the Attorney General. I am glad to say that the wisdom of this enactment has been strikingly vindicated by the experience of eighteen months which have supervened. Notwithstanding the State has suffered from the epidemic of crime which has been universal throughout the country, the Law Department, co-operating actively with the prosecuting officers in the several counties, has achieved a record which commands the commendation of all law-abiding citizens: and this with a decrease over previous expense of nearly 30 per cent. There is one fundamental principle which underlies all law enforcement: the innocent should be fully protected, and the guilty should be speedily punished. I am impressed that the difficult task which devolves upon all peace officers would be measurably lightened if the provoking technicalities and unreasonable delays which now disfigure criminal procedure were eliminated. If the defendant confronted by indictment declines to become a witness in his own behalf, why should the State be estopped from arguing the inference which flows from his refusal to testify? If he is aggrieved by conviction, why should he not be required to perfect appeal from judgment within thirty days instead of six months? Nearly every violent crime is perpetrated by a man inflamed by intoxicants and emboldened by firearms. If the culprit had been sober or unarmed, in all probability the crime would not have been committed. The conviction of one for a third violation of the prohibitory law ought to be punished as a felony by imprisonment in the penitentiary instead of by entertainment in the county jail. The sale of guns and revolvers should be surrounded with the most rigid restrictions, and the discovery of a weapon concealed on the person or in the vehicle of one arrested should be *prima facie* evidence that such possession is illegal. In the present circumstances when all society is in dangerous ferment, no effort must be omitted to maintain the majesty of the law. The Attorney General will submit certain amendments to the statute, and they deserve your careful attention.

THE PRIMARY

I apprehend that my attitude toward the primary is thoroughly understood, as I have defined it without hesitancy upon repeated public occasions. I am unalterably opposed to the unconditional repeal or the substantial impairment of the law, for I believe it furnishes the best method yet invented for the easy and effective expression of the popular will. It

was enacted to eliminate abuses which disfigured the caucus system it superseded, and to invest the individual voter with enhanced power in the selection of his party candidates. Its application should not be restricted, but extended rather wherever such extension will more assuredly record the untrammelled preference of the elector. I think the law might be improved and some just criticism be obviated by requiring a change of party affiliation to be announced at least six months antecedent to the primary. But in any event the statute should be amended or modified only as such amendment or modification may secure to the citizen more largely and more certainly the unshackled opportunity to register his personal choice among those who aspire to nomination.

EQUAL RIGHTS

The women of the State are now equal partners with the men, at the polls as well as in the homes, and it is obvious that wherever the moral or spiritual welfare of humanity is particularly concerned, they will not be silent partners. The principle of universal suffrage never was seriously contested as to its justice, and its propriety has been so abundantly approved by experience that now all objection has utterly vanished. More and more the women of America are interesting themselves in the philosophy of government, and more and more they are accommodating themselves to the responsibilities of government. No doubt can be entertained that our party politics is distinctly elevated by the refining influence they contribute to it. This of itself is of infinite value, but it is not all. In Iowa at least, they have illustrated an aptitude as well for the practical routine of official management. The able women who, in the past twenty months, have been appointed to positions on the Board of Education, the Conservation Commission, the Board of Educational Examiners, the Library Board, and the Historical Society, have demonstrated a capacity for effective service in public administration fully comparable to that of their masculine colleagues. The sex, with its broadening opportunities and expanding powers, should be welcomed to unabridged participation with us in all civic relations. The women of the world: throughout all authentic history the home has looked to them for its adornment, the school for its vitality, the church for its consecration. The State must avail of their unfailing enthusiasm, their unselfish fidelity, their unfaltering idealism! I earnestly urge that the first measure adopted by you may be for the removal from constitution and statute of every discrimination there existing against the enjoyment by women of every prerogative now exercised by men.

EDUCATION

Organized society performs no function so vital to its perpetuity as that relating to the education of its youth who, in the next decade or generation, will arbitrate the destinies of the world. The intrinsic character of the men and women of the future is contingent upon the intellectual cultivation, the moral discipline, and the spiritual arousal provided for the boys and girls of today. About 82 per cent of our school population, which is nearly 25 per cent of our total population, is enrolled in some institution of learning in the State. Probably 3 per cent is in colleges, 11 per cent in high schools, 26 per cent in rural schools, and 42

per cent in grade schools. The problem they present is of overshadowing importance. The program proposed to you by the Superintendent and the Board of Education is ambitious, but the needs of the State are extraordinary. Perhaps never in the history of mankind has there been manifest so irresistible a desire to learn as at this hour. State universities, secondary colleges, sectarian seminaries, high schools, grade schools—all are overcrowded with eager novitiates clamoring for suitable equipment for the stern struggle of after-life. Iowa is not exceptional, but doubtless it is more than typical, of conditions existing everywhere. Broadly speaking, we have an attendance at Iowa City today of nearly 7,000, as contrasted against about 2,000 ten years ago, with the same fabulous increase at Ames and at Cedar Falls. We gained more at these three principal seats during the single year 1922 than the total current matriculation at the Stanford of Hoover, or the Dartmouth of Webster. Each of these institutions is incomparable in its field, and no citizen of the State can restrain his mounting pride in the unchallenged excellence of all. Within the biennium we have compelled more than National attention. Iowa City dispatched eleven unconquered athletes to humble the haughty partisans of Old Eli with the first midwestern touchdown ever inflicted upon that ancient and honorable academy, and a British Commission of experts adjudged her Medical Department not *third*, but *one of three* foremost in America! Ames entered an International Stock Judging contest at Chicago, and five of the stalwart sons of the tall corn State, vanquishing all rivals, emerged with every first medal offered in the relentless competition! Cedar Falls—but who shall portray its pre-eminence, or celebrate the superb service of its venerable president? These schools are wonderful in themselves, but more wonderful still in the student body which glorifies them. Shall our gallant boys and gentle girls be enabled to continue, and others be encouraged to come? Then, more buildings, more apparatus, more laboratories, more faculty and more dormitories are absolutely indispensable. There is no alternative. We cannot retreat without reaction; we cannot suspend without stagnation; we can but advance to our obvious and unescapable duty.

But with all of this, the schools in the remote townships must be in no wise overlooked or neglected. I may be pardoned for feeling deeply on this point, for I am myself without college training, and the meager education I possess was acquired in a modest country school in Lucas County. It was a superior school, however, because the teacher was a superior teacher,—a fact which dawned upon me years after my involuntary retirement from her ministrations. In nearly every instance, whatever the environment may be, the teacher makes the school. It requires less skill, tact and intelligent intuition to expound the curriculum of a university, than to teach the schedule of a common school; and after all, the latter always will be paramount. I cherish a notion so old-fashioned as to be almost obsolete that one thoroughly grounded in the elementary branches of knowledge, even though devoid of college finish, is better fortified for the give-and-take of strenuous life than his adversary who has the finish but lacks the grounding. The youngster on the farm, if he is to be induced to persevere there, is entitled to the best qualified instructors that can be made available. With this object in view President Murphy and

his colleagues, after the maturest deliberation, have agreed to the following resolution:

"That the State Board of Education recommends to the General Assembly the establishment of THREE normal schools within the next six years; one to be located in the northwest part of the State, one in the southwest part, and one in the southeast part; only one to be provided for and established in each biennial period."

One school in the northwest, one in the southwest, and one in the southcast; all devoted exclusively to the preparation of teachers for our rural schools—with Cedar Falls the finest nursery for grade and high school teachers in the United States. The whole proposition is one of immeasurable significance, and it ought to be considered solely with reference to the ultimate welfare of the State. It is apparent, of course, that all three schools cannot now be constructed, but one may be authorized during the ensuing period, the remainder to follow as our finances will justify. Every section of the State would thus be supplied, and there is an advantage in proximity. College statistics disclose, I am advised, that 60 per cent of the average student body resides within seventy miles of the institution. Our system of higher education is altogether preferable to that of the east. In Massachusetts you hear much of Harvard, in Connecticut of Yale, in New Jersey of Princeton, and rarely of any else. But in Iowa it is scarcely possible to travel through three consecutive counties without encountering a splendid independent college—a marvelous cultural center radiating a vast blessing throughout a wide community. "Of all that is good, Iowa affords the best."

Members of the Fortieth General Assembly, men and women of this transcendent commonwealth! Let us develop here an ideal State, dedicated to enlightenment, to morality, to justice; a State in which there shall be neither the reproach of enforced idleness, nor the misery of unrequited toil; neither the vulgar display of swollen wealth, nor the bitter distress of cruel want; neither the contempt of the strong for the weak, nor the hatred of the weak for the strong; neither the scorn of opulence, nor the despair of penury; neither the abuse of power, nor the denial of service; an approximately perfect State wherein the brotherhood of man shall be as genuine as the Fatherhood of God!

Minutes of the joint convention read and approved.

On motion of Mathews of Des Moines the joint convention dissolved.

The House reconvened, Speaker Anderson in the chair.

The Senate returned to the Senate chamber and resumed session.

President Pro Tem. Price appointed Senator Wichman to escort Lieutenant Governor Hammill to the chair.

In assuming office President Hammill spoke in part as follows:

PRESIDENT HAMMILL'S ADDRESS

Members of the Senate:

I know that after the address you have heard this afternoon by the Governor, that you do not expect an extended talk from me at this time.

However, I am convinced and I am sure you are likewise convinced that there has been outlined for us in the two addresses of the Governor, an extensive legislative program, and if we are going to complete this program, it will be necessary that we take on more than we can carry and carry it, and bite off more than we can chew and chew it, and it seems to me that conditions are such at this time that we should seek to do this.

This suggests to me one question that has been paramount in the minds of our people and that is the question of code revision.

There has been invested up to date, \$130,000 in preliminary work of code revision, and I am informed by the Governor that if this legislature commences code revision at this session and does everything that is humanly possible to complete the work of code revision and is unable to complete it, that a special session will be called to complete the work. It is not expected that we should neglect the regular work as a result of code revision. However, many bills will be introduced which can be blended into the code revision bills.

We will also have before us the question of the revision of the tax laws of Iowa. Report of the tax commissioners will be filed within a few days and this subject alone furnishes an opportunity for much work and study, but the work can be blended into the code revision bills and our tax laws revised in connection therewith.

There is also the question of the motor bus and auto trucks, which are now using the public highway in the transportation business. The highways have been constructed at large expense to the taxpayer and the general public, and no reason exists why these transportation companies should use the highways without a proper contribution thereto. This is a new means of transportation and should be recognized, but the industry should pay its fair share for the maintenance of the public highways. They are common carriers and should come under the rule of common carriers, required to give bond for the protection of passengers and in my judgment, be under the supervision and direction of the railway commission. This problem is before you and should be solved at this session of the legislature.

We have heard much during the past two campaigns with reference to the co-ordination of the various departments of government. I am going to appoint a committee on departmental affairs, whose duty it will be to study the various departments of state government and seek to co-ordinate the various departments and eliminate waste wherever it may be found in the various departments. We have had sufficient talk on this question. It is now time for action. This committee will not be appointed for the purpose of investigating the various offices of state government. The last legislature passed an act making it the duty of the executive council to do this and if malfeasance exists in office, it should be referred to the Executive Council or to the courts for immediate action.

We are also in need of a budget system, one that is bullet proof, and every department should be kept within this budget. We cannot have economy in the administration of the affairs of government without some

understanding as to what it is going to cost to operate a department before the expense is incurred. A businessman who spends \$3,000.00 a year on an income of only \$2,000.00 a year will become bankrupt. The same is true of any department of government. If we have a certain amount that we can spend in a department, we should keep within the amount allotted or authorized in connection with the department.

Now, senators, if we are going to accomplish this work, we must start out with a definite program. We must start out with some definite purpose in mind. Unless we do, we are not going to be able to accomplish this work. We have a big program. We have more than we can carry, and we have more than we can cheer with ease, but by extra effort, we can accomplish the work that is before us. To do this we must have the co-operation of each and every senator. I expect to shape the committees to secure the best results and I ask your co-operation and assure you that I expect to treat every senator with courtesy and utmost fairness.

On motion of Senator Smith the Senate adjourned until 1:30 p. m., Tuesday, January 16.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, JANUARY 16, 1923.

The Senate met in regular session, President Hammill presiding.

Prayer was offered by Dr. Scott of the First Methodist church of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were presented:

By Senator Gilchrist, from the teachers of Fort Dodge, endorsing the teachers' annuity bill.

By Senator Bowman, from the teachers of Waterloo, endorsing the teachers' annuity bill.

By Senator Mead, from the Women's club of Allison, endorsing the teachers' annuity bill.

By Senator Rees, from the Page County Farm Bureau, relative to county bonds, economy in appropriations, use of hog cholera serum, and cooperative banks.

Petitions from the Modern Woodmen of America protesting the Richmond bill were presented by Senator Shane, from Woodmen of Ottumwa and of Camp No. 239, Richland; by Senator Brookins, from Camp No. 3554, Rudd; by Senator Buser, from Camp No. 2926, Wilton Junction; by Senator Gilchrist, from Camps No. 1449, Storm Lake, No. 4518, Rutland, and No. 539, Laurens; by Senator Adams, from Camp No. 4744, Mallard.

ANNOUNCEMENT OF STANDING COMMITTEES

President Hammill announced the following assignments of standing committees:

WAYS AND MEANS

Smith—	Campbell	Tuck	Brookins
Chairman	Baird	Browne	Shane
Newberry	Darting	Mead	Romkey
Hale	Fulton	Kimberly	Goodwin
Nelson	Johnston	Banta	Shinn
Reed	Slosson	Scott	Snook
Dutcher	Thurston	Gilchrist	Shaff

JUDICIARY NO. I

Reed—	Thurston	Buser	Johnston
Chairman	Wichman	Ethell	Perkins
Price	Chase	Darting	Slosson
Mantz	Caldwell	White	Tuck
Dutcher			

JUDICIARY NO. II

Brookhart—	Scott	Holdoegel	McIntosh
Chairman	Baird	Bergman	Rees
Newberry	Gilchrist	Cessna	Shinn
Banta	Abben	Horchem	Shaff
Campbell			

APPROPRIATIONS

Stoddard—	Horchem	Hartman	Perkins
Chairman	Cessna	Abben	Chase
Adams	Haskell	Dutcher	Bowman
Hale	Buser	Mantz	Rees
Holdoegel	Wichman	Ethell	Bergman
Brookhart	Olson	Caldwell	Price
White	McIntosh	Nelson	Goodwin

AGRICULTURE

Buser—	Stoddard	Johnston	Brookins
Chairman	Nelson	Mead	Bowman
Cessna	Campbell	Olson	Rees
Brookhart	White	Slosson	Romkey
Newberry	Banta	Tuck	Shaff
Hale	Browne	Bergman	Snook
Holdoegel	Caldwell	Shinn	

HIGHWAYS

Holdoegel—	Haskell	Scott	Perkins
Chairman	Kimberly	Tuck	Bowman
Stoddard	Nelson	Wichman	Shaff
Hale	White	Slosson	Chase
Buser	Olson	Abben	Shinn
Cessna	Caldwell	Goodwin	Brookins
Smith	Johnston	Romkey	Snook
			Mead

EDUCATIONAL INSTITUTIONS

Mantz—	Horchem	Dutcher	Olson
Chairman	Campbell	McIntosh	Rees
Hale	Baird	Browne	Bowman

RAILROADS

Adams—	Cessna	Baird	Shane
Chairman	White	Dutcher	Chase
Scott	Stoddard	Ethell	Shinn
Haskell	Mead	Smith	Olson
Kimberly	Thurston	Browne	Shaff
			Goodwin

PUBLIC UTILITIES

Hale—	Brookhart	Browne	Chase
Chairman	Campbell	McIntosh	Perkins
Haskell	Slosson	Smith	Bergman
Holdoegel	Tuck	Price	Gilchrist
Kimberly	Wichman	Romkey	Horchem
White	Dutcher	Shane	

ELECTIONS

Wichman— Chairman	Kimberly	Banta	Brookhart
Smith	McIntosh	Shane	Horchem
Fulton	Mantz	Perkins	Romkey
	Tuck		

BOARD OF CONTROL

Kimberly— Chairman	Hale	Snook	Horchem
Scott	Darting	Rees	Perkins
	Campbell	Bowman	

PUBLIC SCHOOLS

Newberry— Chairman	Horchem	Abben	McIntosh
Smith	Brookhart	Banta	Gilchrist
Holdoegel	Mantz	Mead	Bergman
Stoddard	Caldwell	Dutcher	Romkey
	Olson	Brookins	

BANKS

Fulton— Chairman	Baird	Darting	Shane
Adams	Thurston	Gilchrist	White
Holdoegel	Abben	Perkins	Bergman
Mantz	Slosson	Goodwin	Shinn

CITIES AND TOWNS

Haskell— Chairman	Reed	Dutcher	Shane
Kimberly	Fulton	Baird	Bowman
Stoddard	Darting	Chase	Shaff
Horchem	Slosson	Goodwin	Buser
Brookhart	Wichman	Snook	Scott
	Mantz	Romkey	

INSURANCE

Scott— Chairman	Kimberly	Fulton	Rees
Adams	Brookhart	Hartman	Bergman
Thurston	Mantz	Darting	Brookins
Haskell	Abben	Shane	Hale
	Ethell	Snook	

COUNTY AND TOWNSHIP AFFAIRS

Ethell—Chairman	Hale	Adams	Shinn
Johnston	Price	Tuck	Romkey
Buser	Hartman	Browne	

FISH AND GAME

Mead—Chairman	Hartman	Brookins	Rees
Adams	Snook	Bergman	Shaff
Price	Newberry	Bowman	

DAIRY AND FOOD

Nelson— Chairman	Abben	Scott	Shaff
Newberry	Browne	Shinn	Bowman
Smith	Hartman	Banta	Romkey
	Olson		

DEPARTMENTAL AFFAIRS

Cessna— Chairman	Tuck	Price	Brookins
Thurston	Bergman	Darting	Campbell

SENATE MEMBERS OF CODE REVISION

Dutcher—	Holdoegel	Gilchrist	Wichman
Chairman	Scott	Reed	White
Smith	Tuck	Perkins	Brookhart

DRAINAGE

Caldwell—	Slosson	Holdoegel	Bergman
Chairman	Reed	Chase	Buser
Wichman	Adams	Gilchrist	Romkey

LABOR

Thurston—	Olson	Gilchrist	Romkey
Chairman	Darting	Shinn	Perkins
Kimberly	Ethell	White	Chase
Brookhart	Caldwell	Shane	Snook
Horchem	Fulton		

MINES AND MINING

Johnston—	Price	Caldwell	Cessna
Chairman	Haskell	Goodwin	Snook
Ethell	Olson	Shane	

PUBLIC HEALTH

Price—Chairman	Nelson	Dutcher	Shane
Haskell	Cessna	Darting	Banta
Newberry	Mead	Shaff	

SUPPRESSION OF INTEMPERANCE

McIntosh—	Brookhart	Wichman	Romkey
Chairman	Holdoegel	Perkins	Shinn
Tuck			

TELEGRAPH AND TELEPHONE

Campbell—	Holdoegel	Adams	Gilchrist
Chairman	Mead	Perkins	Hartman
Reed	Wichman	Shaff	Thurston

CONSERVATION

Brookins—	Fulton	Stoddard	Banta
Chairman	Mead	Newberry	Hartman

MILITARY AFFAIRS

Abben—Chairman	Adams	Cessna	Goodwin
Thurston	Campbell	Slosson	

PUBLIC BUILDINGS AND LANDS

Shaff—Chairman	Nelson	Reed	Johnston
Browne	Newberry		

PRINTING

Banta—Chairman	Nelson	Fulton	McIntosh
Caldwell	Smith	Ethell	

CLAIMS

Baird—Chairman	Reed	Hartman	Snook
Scott	Smith	Browne	Chase
Price			

PHARMACY

Shane—Chairman	Price	Mantz	Rees
Olson	Adams	Shaff	

HORTICULTURE AND FORESTRY

Browne—	Tuck	Hartman	Shinn
Chairman	Johnston	McIntosh	Rees

LAND TITLES

Rees—Chairman	Stoddard	Hartman	Gilchrist
Abben	Reed	Ethell	
Baird	Fulton	Nelson	

PUBLIC LIBRARY

Tuck—Chairman	Fulton	Goodwin	Chase
McIntosh	Horchem		

CONGRESSIONAL, JUDICIAL AND REPRESENTATIVE DISTRICTS

Hartman—	Abben	Buser	Rees
Chairman	Adams	Dutcher	Goodwin
Nelson	Baird	White	Snook
Johnston	Haskell	Smith	Price
Mead	Banta		

COMMERCE AND TRADE

Goodwin—	Hartman	Cessna	Johnston
Chairman	Haskell		

CORPORATIONS

Perkins—	Campbell	Scott	Brookins
Chairman	Ethell		

CHARITABLE, CORRECTIONAL AND PENAL INSTITUTIONS

Darting—	Buser	Caldwell	Campbell
Chairman	Mantz	Hale	

MANUFACTURES

Bergman—	Kimberly	Darting	Fulton
Chairman	Ethell	Bowman	Brookins

MOTOR VEHICLES

Slosson—	Buser	Caldwell	Mead
Chairman	Stoddard	White	Brookins
Cessna	Johnston		

ENROLLED BILLS

Gilchrist—	Banta	McIntosh	Bowman
Chairman			

RULES

Bowman—	Baird	Thurston	Shane
Chairman	Newberry		

SENATE MEMBERS OF RETRENCHMENT AND REFORM

White	Smith	Reed	Stoddard
Horchem			

SENATORS AND THEIR RESPECTIVE COMMITTEES

ABBEN

Appropriations	Military Affairs—Chair-Highways
Public Schools	man Land Titles
Banks	Cong. Jud. & Rep. Dis-Judiciary No. 2
Insurance	tricts
Dairy and Food	

ADAMS

Railroads—Chairman
Appropriations
Banks
Insurance
County and Twp. Affairs

Fish and Game
Drainage
Military Affairs
Pharmacy

Cong. Jud. & Rep. Dis-
tricts
Telegraph and Tele-
phone

BAIRD

Ways and Means
Judiciary No. 2
Educational Institutions
Railroads

Banks
Cities and Towns
Cong. Jud. & Rep. Dis-
tricts
Land Titles
Rules
Claims—Chairman

BANTA

Judiciary No. 2
Ways and Means
Agriculture
Elections

Public Health
Conservation
Printing—Chairman
Enrolled Bills

Cong. Jud. & Rep. Dis-
tricts
Dairy and Food
Public Schools

BEEGMAN

Appropriations
Agriculture
Banks
Insurance

Public Schools
Public Utilities
Manufactures—
Chairman

Drainage
Departmental Affairs
Judiciary No. 2
Fish and Game

BOWMAN

Educational Institutions
Agriculture
Appropriations
Highways

Rules—Chairman
Board of Control
Cities and Towns
Dairy and Food

Manufactures
Enrolled Bills
Fish and Game
■

BROOKHAET

Judiciary No. 2—
Chairman
Appropriations
Agriculture
Public Utilities

Public Schools
Cities and Towns
Insurance
Labor

Suppression of Intem-
perance
Elections
Code Revision

BROOKINS

Ways and Means
Agriculture
Public Schools
Corporations

Highways
Insurance
Departmental Affairs
Motor Vehicles

Manufactures
Fish and Game
Conservation—Chair-
man

BROWNE

Ways and Means
Agriculture
Educational Institutions
Railroads

Public Utilities
County and Twp. Affairs
Dairy and Food
Claims

Horticulture and For-
estry—Chairman
Public Bldgs. and Lands

BUSER

Judiciary No. 1
Appropriations
Agriculture—Chair-
man
Highways

County and Twp. Affairs
Charitable, Correctional
and Penal Institu-
tions.
Cities and Towns
Drainage
Motor Vehicles
Cong. Jud. & Rep. Dist.

CALDWELL

Appropriations
Agriculture
Highways
Public Schools

Motor Vehicles
Labor
Mines and Mining
Drainage—Chairman

Charitable, Correctional,
Penal Institutions
Judiciary No. 1
Printing

CAMPBELL

Telegraph and Telephone—Chairman
Ways and Means
Judiciary No. 2
Agriculture

Departmental Affairs
Corporations
Board of Control
Military Affairs

Charitable, Correctional,
Penal Institutions
Public Utilities
Educational Institutions

CESSNA

Appropriations
Agriculture
Highways
Public Health

Judiciary No. 2
Railroads
Military Affairs
Commerce and Trade

Motor Vehicles
Departmental Affairs—
Chairman
Mines and Mining

CHASE

Drainage
Judiciary No. 1
Appropriations
Railroads

Highways
Public Utilities
Cities and Towns

Labor
Claims
Public Library

DARTING

Judiciary No. 1
Ways and Means
Board of Control
Banks
Cities and Towns

Insurance
Labor
Public Health
Departmental Affairs

Charitable, Correctional,
Penal Institutions—
Chairman
Manufactures

DUTCHER

Judiciary No. 1
Appropriations
Educational Institutions
Railroads
Public Schools

Ways and Means
Cities and Towns
Code Revision—Chairman

Cong. Jud. & Rep. Districts
Public Utilities
Public Health

ETHELL

Appropriations
Railroads
Insurance
Labor

Mines and Mining
Printing
Land Titles
Corporations

Manufactures
Judiciary No. 1
County and Twp. Affairs—
Chairman

FULTON

Ways and Means
Elections
Cities and Towns
Insurance

Conservation
Printing
Land Titles
Public Libraries

Manufactures
Banks—Chairman
Labor

GILCHRIST

Judiciary No. 2
Ways and Means
Public Schools
Drainage
Public Utilities

Banks
Enrolled Bills—Chairman
Land Titles

Code Revision
Labor
Telegraph and Telephone

GOODWIN

Ways and Means
Appropriations
Highways
Cities and Towns
Banks

Commerce and Trade—
Chairman
Public Libraries
Railroads

Military Affairs
Mines and Mining
Cong. Jud. and Rep. Dist.

HALE

Ways and Means
Appropriations
Agriculture
Highways

Educational Institutions
Public Utilities—Chairman
Board of Control

County and Twp. Affairs
Insurance
Charitable, Correctional,
Penal Institutions

HAERTMAN

Appropriations	County and Twp. Affairs	Dairy and Food
Insurance	Commerce and Trade	Telegraph & Telephone
Claims	Horticulture & Forestry	Fish and Game
Cong. Jud. & Rep. Dist.	Land Titles	Conservation
—Chairman		

HASKELL

Cities and Towns—	Appropriations	Mines and Mining
Chairman	Highways	Cong. Jud. & Rep. Dist.
Insurance	Public Utilities	Public Health
Railroads	Commerce and Trade	

HOLDOEGEL

Highways—Chairman	Public Schools	Code Revision
Appropriations	Banks	Judiciary No. 2
Agriculture	Drainage	Telegraph & Telephones
Public Utilities	Sup. of Intemperance	

HORCHEM

Appropriations	Cities and Towns	Educational Institutions
Public Schools	Labor	Board of Control
Retrenchment & Reform	Public Utilities	Public Libraries
	Elections	Judiciary No. 2

JOHNSTON

Ways and Means	Public Bldgs. and Lands	Commerce and Trade
Agriculture	Horticulture & Forestry	Motor Vehicles
Highways	Cong. Jud. & Rep. Dist.	Mines and Mining—
County & Twp. Affairs		Chairman
Judiciary No. 1		

KIMBERLY

Ways and Means	Cities and Towns	Elections
Highways	Insurance	Board of Control—
Railroads	Labor	Chairman
Public Utilities	Manufactures	

MCINTOSH

Public Libraries	Public Schools	Printing
Educational Institutions	Appropriations	Horticulture & Forestry
Public Utilities	Suppression of Intemperance—Chairman	Enrolled Bills
Elections		
Judiciary No. 2		

MANTZ

Educational Institutions	Public Schools	Pharmacy
—Chairman	Banks	Charitable, Correctional,
Judiciary No. 1	Cities and Towns	Penal Institutions
Appropriations	Insurance	
Elections		

MEAD

Ways and Means	Public Health	Telegraph and Telephones
Railroads	Agriculture	Cong. Jud. & Rep. Dist.
Highways	Motor Vehicles	
Fish and Game—Chairman	Public Schools	
	Conservation	

NELSON

Appropriations
Ways and Means
Agriculture
Highways

Dairy and Food—Chairman
Public Bldgs. & Lands
Land Titles
Printing
Cong. Jud. & Rep. Dist.

NEWBERRY

Ways and Means
Judiciary No. 2
Agriculture
Public Schools—Chairman

Dairy and Food
Conservation
Public Bldgs. & Lands
Rules
Fish & Game
Public Health

OLSON

Agriculture
Appropriations
Highways
Educational Institutions

Dairy and Food
Mines and Mining
Public Schools
Railroads
Pharmacy
Labor

PERKINS

Appropriations
Judiciary No. 1
Banks
Public Utilities
Labor

Corporations—Chairman
Elections
Suppression of Intemperance
Telegraph and Telephones
Code Revision
Board of Control
Highways

PRICE

Appropriations
Judiciary No. 1
County & Twp. Affairs
Fish & Game

Mines & Mining
Public Health—Chairman
Claims
Pharmacy
Public Utilities
Departmental Affairs
Cong. Jud. & Rep. Dist.

REED

Ways and Means
Judiciary No. 1—Chairman
Cities and Towns
Drainage

Telegraph & Telephones
Claims
Land Titles
Code Revision
Public Bldgs. and Lands
Retrenchment & Reform

REES

Agriculture
Appropriations
Judiciary No. 2
Insurance

Fish & Game
Educational Institutions
Board of Control
Cong. Jud. & Rep. Dist.
Pharmacy
Land Titles—Chairman
Horticulture & Forestry

BOMKEY

Ways and Means
Agriculture
Highways
Cities and Towns
Drainage

Labor
Public Schools
Elections
County & Twp. Affairs
Suppression of Intemperance
Dairy & Food
Public Utilities

SCOTT

Ways and Means
Insurance—Chairman
Judiciary No. 2
Board of Control

Code Revision
Highways
Dairy and Food
Claims
Corporations
Cities and Towns
Railroads

SHAFF

Ways and Means
Judiciary No. 2
Highways
Agriculture
Public Health

Telegraph & Tele-
phones
Cities and Towns
Railroads
Dairy and Food

Fish and Game
Public Buildings and
Lands—Chairman
Pharmacy

SHANE

Ways and Means
Pharmacy—Chairman
Cities and Towns
Railroads

Elections
Labor
Mines and Mining
Public Health

Public Utilities
Insurance
Banks
Rules

SHINN

Ways and Means
Judiciary No. 2
Agriculture
Highways
Railroads

County & Twp. Affairs
Dairy and Food
Labor
Banks
Suppression of Intem-
perance
Horticulture & Forest-
ry

SLOSSON

Public Utilities
Agriculture
Ways and Means
Judiciary No. 1

Highways
Drainage
Banks

Motor Vehicles—
Chairman
Cities and Towns
Military Affairs

SMITH

Ways and Means—
Chairman
Highways
Railroads
Public Utilities

Elections
Code Revision
Dairy and Food
Printing
Claims

Public Schools
Cong. Jud. & Rep. Dist.
Retrenchment & Re-
form

SNOOK

Ways and Means
Highways
Insurance
Agriculture

Mines and Mining
Cities and Towns
Fish and Game
Cong. Jud. & Rep. Dist.

Claims
Board of Control
Labor

STODDARD

Appropriations—Chair-
man
Cities and Towns
Highways

Public Schools
Agriculture
Conservation
Motor Vehicles

Railroads
Land Titles
Retrenchment and Re-
form

THURSTON

Ways and Means
Judiciary No. 1
Banks
Insurance

Military Affairs
Departmental Affairs
Telegraph & Tele-
phones

Railroads
Rules
Labor—Chairman

TUCK

Agriculture
Highways
Ways and Means
Suppression of Intem-
perance

Public Library—
Chairman
Public Utilities
Elections
County and Twp. Affairs
Judiciary No. 1
Horticulture and For-
estry
Code Revision
Departmental Affairs

WHITE

Appropriations	Public Utilities	Code Revision
Agriculture	Banks	Retrenchment & Re-
Highways	Cong. Jud. & Rep. Dist.	form
Railroads	Motor Vehicles	Labor
Judiciary No. 1		

WICHMAN

Judiciary No. 1	Drainage	Elections—Chairman
Appropriations	Suppression of Intem-	perance
Public Utilities	perance	phones
Highways	Cities and Towns	Code Revision

RESOLUTION WITHDRAWN

By unanimous consent Senator Newberry withdrew Senate joint resolution No. 1.

CONCURRENT RESOLUTION

Senator Tuck offered the following resolution:

A resolution memorializing the Congress of the United States with reference to a constitutional amendment affecting tax exempt securities.

Be it resolved by the Senate the House concurring:

Whereas, there has been issued and placed upon the market tax exempt securities in such volume as to affect to a marked degree business conditions throughout the nation, and

Whereas, by reason of such volume of tax exempt securities money has been steadily and to an increasing extent leaving other channels of investment for investment in such securities, to the injury of other securities, with the net result that interest rates have steadily increased, and

Whereas, the issuance of such tax exempt securities has steadily decreased the amount of visible and intangible property subject to taxation, thus increasing to an unwarranted degree the burden imposed upon other classes of property, and

Whereas, it is essential and necessary and for the best interests of the nation as a whole that a constitutional inhibition against the issuance of such tax exempt securities is necessary to accomplish uniformity throughout the nation.

Now, therefore, Be It Resolved by the Senate, the House concurring, that it is the judgment of the Fortieth General Assembly of the State of Iowa that an amendment to the Constitution of the United States prohibiting the issuance of such securities should be proposed by Congress and submitted to the several states for adoption.

Be It Further Resolved, that engrossed copies of this resolution be and they are hereby ordered presented to the President of the United States, to the Hon. Albert B. Cummins and the Hon. Smith W. Brookhart, senators of the State of Iowa, and to each of the members of Congress from the State of Iowa.

By unanimous consent the resolution was taken up and considered.

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

Ayes, 46

Abben	Cessna	Kimberly	Shane
Adams	Darting	McIntosh	Shinn
Baird	Ethell	Mantz	Slosson
Banta	Fulton	Mead	Smith
Bergman	Gilchrist	Nelson	Snook
Bowman	Goodwin	Newberry	Stoddard
Brookhart	Hale	Price	Thurston
Brookins	Hartman	Reed	Tuck
Browne	Haskell	Rees	White
Buser	Holdoegel	Romkey	Wichman
Caldwell	Horchem	Scott	
Campbell	Johnston	Schaff	

Nays, none.

Absent or not voting, 4.

Chase Dutcher Olson Perkins

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

REPORT ON COMMITTEE CLERKS

Senator Horchem, 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 they have found the following to be proficient and recommend that they be chosen:

Chas. B. Nelson assigned to Senator Nelson; Blanche G. Osborne assigned to Senator Darting.

B. J. HORCHEM, *Chairman*.

The report was adopted and the foregoing clerks were duly sworn.

REPORT OF COMMITTEE ON MILEAGE

MR. PRESIDENT: Your Committee on mileage begs leave to report that it finds the members of the Senate of the Fortieth General Assembly are entitled to mileage as follows:

	Miles	Amount		Miles	Amount
Lieut. Gov. Hammill.....	166	\$16.60	Dutcher	121	12.10
Abben	225	22.50	Ethell	120	12.00
Adams	120	12.00	Fulton	117	11.70
Baird	142	14.20	Gilchrist	120	12.00
Banta	155	15.50	Goodwin	5	.50
Bergman	35	3.50	Hale	182	18.20
Bowman	106	10.60	Hartman	242	24.20
Brookhart	117	11.70	Haskell	142	14.20
Brookins	155	15.50	Holdoegel	89	8.90
Browne	202	20.20	Horchem	204	20.40
Buser	156	15.60	Johnston	54	5.40
Caldwell	52	5.20	Kimberly	175	17.50
Campbell	162	16.20	McIntosh	85	8.50
Cessna	56	5.60	Mantz	107	10.70
Chase	72	7.20	Mead	135	13.50
Darting	161	16.10	Nelson	81	8.10

Miles Amount		Miles Amount	
Newberry	220 22.00	Shinn	166 16.60
Olson	65 6.50	Slosson	142 14.20
Perkins	115 11.50	Smith	35 3.50
Price	68 6.80	Snook	200 20.00
Reed	215 21.50	Stoddard	214 21.40
Rees	182 18.20	Thurston	55 5.50
Romkey	166 16.60	Tuck	121 12.10
Scott	59 5.90	White	123 12.30
Shaff	235 23.50	Wichman	125 12.50
Shane	91 9.10		

All of which is respectfully submitted.

BEN C. ABBEN, JR., *Chairman.*

GEO. B. PERKINS.

J. D. BUSER.

On motion of Senator Buser the Senate went into executive session.

Senate arose from executive session and resumed regular session.

The Journal of January 11th was corrected and approved.

On motion of Senator McIntosh Senate adjourned until 10 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 17, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. J. C. Maher, pastor of the St. Brendan's church of Leon, Iowa.

On motion of Senator Ethell rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

The following petitions were presented:

By Senator Dutcher from the Johnson County Farm Bureau protesting any change in the statute withdrawing public aid from the Farm Bureau. Referred to committee on agriculture.

By Senator Browne from the Maquoketa Fish and Game Protective Association asking restocking of the south fork of the Maquoketa River with black bass and furnishing of more wardens to enforce the fish and game laws. Referred to the committee on fish and game.

By Senator Caldwell from the teachers of Oskaloosa endorsing the Teachers Annuity bill. Referred to the committee on schools.

By Senator McIntosh protesting proposed telephone legislation. Referred to committee on telegraph and telephones.

Petitions from the Modern Woodmen of America protesting the Richmond bill were presented: by Senator Tuck from Camp 3624, Prescott; by Senator Hale from Camp 2869, West Branch; by Senator Abben from Camp 3512, Ochevedan; by Senator Browne from Camp 1026, Miles; by Senator Hartman from Camp 8274, Harpers Ferry. Referred to committee on insurance.

CONCURRENT RESOLUTION

Senator Baird offered the following resolution:

Be It Resolved by the Senate, the House concurring, That the Hon. S.

R. McKelvie, Governor of Nebraska, be extended an invitation to address a joint session of the General Assembly in the House chamber at 2:30 p. m. Wednesday, January 17, 1923.

By unanimous consent the resolution was taken up and considered. Senator Baird moved its adoption. On the question, "Shall the resolution be adopted?" the vote was:

Ayes, 43

Abben	Cessna	Johnston	Scott
Adams	Darting	Kimberly	Schaff
Banta	Dutcher	McIntosh	Shane
Bergman	Fulton	Mantz	Shinn
Bowman	Gilchrist	Nelson	Smith
Brookhart	Goodwin	Newberry	Snook
Brookins	Hale	Olson	Stoddard
Browne	Hartman	Perkins	Thurston
Buser	Haskell	Price	White
Caldwell	Holdoegel	Reed	Wichman
Campbell	Horchem	Romkey	

Nays, none.

Absent or not voting, 7

Baird	Ethell	Rees	Tuck
Chase	Mead	Slosson	

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

ASSIGNMENT OF COMMITTEE ROOMS

Senator Hale from the committee on assignment of committee rooms offered the following report and moved its adoption:

Mr. President: your committee on assignment of committee rooms reports the following assignments:

	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
Room 16—						
Labor	4 P. M.			2 P. M.		
Public Utilities		2 P. M.		4 P. M.		
Telegraph and Telephone		4 P. M.			2 P. M.	
Board of Control	2 P. M.		2 P. M.			
Public Library		3 P. M.		3 P. M.		
Charitable, Correctional and Penal Inst.			4 P. M.		4 P. M.	
Room 22—						
County and Town Affairs	2 P. M.		3 P. M.			
Public Health	4 P. M.			2 P. M.		
Fish and Game		2 P. M.		4 P. M.		
Conservation		4 P. M.			4 P. M.	
Commerce and Trade	3 P. M.		3 P. M.			
Cong., Jud. and Rep. Districts		3 P. M.			2 P. M.	
Room 18—						
Dairy and Food	2 P. M.				4 P. M.	
Corporations		2 P. M.			2 P. M.	
Military Affairs	4 P. M.			2 P. M.		
Constitutional Conv.		4 P. M.		3 P. M.		
Sup. of Intemperance		3 P. M.		4 P. M.		
Pub. Bldgs. and Lands		4 P. M.			3 P. M.	
Pharmacy	3 P. M.		2 P. M.			
Room 19—						
Elections	2 P. M.		3 P. M.			
Educational Inst.	4 P. M.			3 P. M.		
Printing		2 P. M.		4 P. M.		
Claims		4 P. M.			2 P. M.	
Room 20—						
Motor Vehicles		4 P. M.			2 P. M.	
Drainage	4 P. M.		2 P. M.			
Mines and Mining		2 P. M.		4 P. M.		

	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
Depart. Affairs			4 P. M.		2 P. M.	
Manufacturers	3 P. M.			2 P. M.		
Hortl. and Forestry		3 P. M.			3 P. M.	
Room 21—						
Banks			2 P. M.		4 P. M.	
Insurance	4 P. M.			2 P. M.		
Railroads		2 P. M.		4 P. M.		
Land Titles	2 P. M.		3 P. M.			
Room 22—						
Ways and Means	4 P. M.			2 P. M.		
Judiciary No. 1	2 P. M.		2 P. M.		4 P. M.	
Judiciary No. 2		2 P. M.		2 P. M.		3 P. M.
Code Rev. Com.						
Room 23—						
Agriculture			4 P. M.		2 P. M.	
Highways		4 P. M.		4 P. M.	3 P. M.	
Cities and Towns	4 P. M.			3 P. M.		
Lt. Governor's Room—						
Appropriations	4 P. M.			2 P. M.		
Public Schools		2 P. M.			4 P. M.	
Rules	2 P. M.		2 P. M.			
Room 25—						
Journal Clerks						
Room 26—						
Sec. and Enrolled Bills						

Your committee further recommends that the chairmen of the several standing committees file their announcements of committee meetings at the desk before each adjournment so that committee meetings may be announced from the desk, thus avoiding conflicts in committee meetings so far as possible.

Respectfully submitted,

J. K. HALE, *Chairman.*

C. J. FULTON.

D. W. KIMBERLY.

The report was adopted.

The Journal of January 16th was corrected and approved.

On motion of Senator Price the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call the Senate advised and confirmed the appointment of W. R. C. Kendrick of Keokuk as commissioner of insurance for the term ending February 1, 1927.

The Senate arose from executive session and resumed regular session.

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 inviting Hon. S. R. McKelvie, Governor of Nebraska, to address a joint convention to be held Wednesday afternoon, January 17, at 2:30.

Also, that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

House concurrent resolution relative to numbering bills of the Fortieth General Assembly.

Also, that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

House concurrent resolution memorializing Congress relative to the Federal Farm Loan amendment.

Also, that the House has passed the following concurrent resolution in which the concurrence of the House was asked:

Senate concurrent resolution authorizing the printing of committee books.

Also, that the House has concurred in the Senate amendments to the following concurrent resolution in which the concurrence of the House was asked:

House concurrent resolution providing for a committee on extra help.
A. C. GUSTAFSON, *Chief Clerk*.

HOUSE RESOLUTION CONSIDERED

Senator Baird called up the following resolution:

Be It Resolved by the House, the Senate concurring, That the Hon. S. R. McKelvie, Governor of Nebraska, be extended an invitation to address a joint session of the General Assembly in the House Chamber at 2:30 P. M. Wednesday, January 17, 1923.

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

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

CONCURRENT RESOLUTION

Senator McIntosh offered the following concurrent resolution:

Be It Resolved by the Senate, the House concurring,

1. That we proceed at once to the introduction and consideration of bills.

2. That bills be numbered one (1), two (2), three (3), and so on up to the final limit for the introduction of bills.

Resolution was laid over under the rules.

CONCURRENT RESOLUTION

Senator Stoddard offered the following resolution:

Be It Resolved by the Senate, the House concurring, that all employees of the General Assembly who were on duty the first day of the session, but not yet appointed or reported by the proper committees shall have their

salaries begin on January 8th, upon proper certification by the President of the Senate and the Speaker of the House.

On motion of Senator McIntosh the resolution was taken up and considered.

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

Ayes, 47

Abben	Cessna	Kimberly	Scott
Adams	Darting	McIntosh	Schaff
Baird	Dutcher	Mantz	Shane
Banta	Ethell	Mead	Shinn
Bergman	Fulton	Nelson	Slosson
Bowman	Gilchrist	Newberry	Smith
Brookhart	Hale	Olson	Snook
Brookins	Hartman	Perkins	Thurston
Browne	Haskell	Price	Tuck
Buser	Holdoegel	Reed	White
Caldwell	Horchem	Rees	Wichman
Campbell	Johnston	Romkey	

Nays, none.

Absent or not voting, 3

Chase	Goodwin	Stoddard
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The resolution having received a constitutional majority was declared to have been adopted by the Senate.

Senator Price moved that the Senate take up report of committee relative to code revision.

Senator Holdoegel moved as a substitute that the Senate go into executive session. Carried.

EXECUTIVE SESSION

On motion and roll call the Senate advised and confirmed the appointment of J. H. Henderson of Indianola, Warren county, as commerce counsel for the period of four years commencing July 1, 1923.

Senate arose from executive session and resumed regular session.

Senator Price called for consideration of his motion on code revision.

Senator Newberry moved that the consideration of this motion be made a special order of business immediately after the joint session.

Senator Price asked for a roll call.

Senator Price invoked Rule 8.

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

Ayes, 25.

Abben	Ethell	Horchem	Rees
Adams	Gilchrist	Mantz	Scott
Baird	Goodwin	Newberry	Schaff
Banta	Hale	Olson	Slosson
Bergman	Haskell	Perkins	Smith
Dutcher	Holdoegel	Reed	Stoddard
			Wichman

Nays, 24.

Bowman	Campbell	Kimberly	Shane
Brookhart	Cessna	McIntosh	Shinn
Brookins	Darting	Mead	Snook
Browne	Fulton	Nelson	Thurston
Buser	Hartman	Price	Tuck
Caldwell	Johnston	Romkey	White

Absent or not voting, 1.

Chase

The motion having received a constitutional majority was declared to have passed the Senate.

Senator Browne asked for verification of roll call.

Senator Newberry raised point of order that the result of the roll call had already been announced.

The point of order was sustained.

COMMITTEE FROM THE HOUSE

A committee appeared from the House and announced that the House was ready to receive the Senate in joint session to hear Governor McKelvie of Nebraska.

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

JOINT SESSION

As per concurrent resolution duly adopted, the joint session was called to order, Lieutenant Governor John Hammill, President of the Senate, presiding.

The President announced a quorum present.

Senator Browne of Jackson moved that a committee of five be appointed to notify Hon. S. R. McKelvie, ex-Governor of Nebraska, that the joint session was ready to receive him. Motion prevailed and the President appointed as such committee, Senators Browne of Jackson and Shinn of Harrison, and Representatives Children of Pottawattamie, Garber of Adair and Hollis of Black Hawk.

The committee appointed to notify ex-Governor McKelvie that the members of the House and the Senate were ready to receive him in joint session appeared with ex-Governor McKelvie, accompanied by Governor N. E. Kendall, and escorted them to the Speaker's station.

President Hammill presented Governor Kendall, who introduced ex-Governor McKelvie.

Ex-Governor McKelvie then addressed the joint convention.

Children of Pottawattamie moved that the joint convention ex-

tend a rising vote of thanks to Mr. McKelvie for his excellent address. Motion prevailed unanimously.

Saunders of Palo Alto moved that the joint session be now dissolved. Motion prevailed.

Senate resumed session after joint convention.

Senate resumed consideration of the motion of Senator Price that the Senate proceed to the immediate consideration of the report of the special committee on code revision.

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

Ayes, 48.

Abben	Buser	Goodwin	Mantz
Adams	Caldwell	Hale	Mead
Baird	Campbell	Hartman	Nelson
Banta	Cessna	Haskell	Newberry
Bergman	Darting	Holdoegel	Olson
Bowman	Dutcher	Horchem	Perkins
Brookhart	Ethell	Johnston	Price
Brookins	Fulton	Kimberly	Rees
Browne	Gilchrist	McIntosh	
Romkey	Shane	Smith	Thurston
Scott	Shinn	Snook	Tuck
Schaff	Slosson	Stoddard	White
			Wichman

Nays, none.

Absent or not voting, 2.

Chase Reed

The motion having received a constitutional majority was declared to prevail.

Senator Price offered the following amendment:

I move to amend the report of the committee by adding thereto the following:

Provided, however, that no bill affecting code revision shall be reported from any regular committee after the first day of February, 1923, and that no code revision bill shall be considered or acted upon by the Senate after the first day of February, 1923, until all other bills introduced shall have been disposed of.

JNO. R. PRICE.

Senator Holdoegel asked unanimous consent that the House report of the special committee on code revision be substituted for the Senate report. Consent was granted and the substitution was made.

Senator Haskell moved the previous question.

Senator Dutcher raised the point of order that the amendment offered was out of order as the committee report could not be amended except by the committee.

The President held that the point of order was well taken.

Senator Tuck moved that the Senate adjourn until 10:00 a. m. Thursday. Motion lost.

Senator Price offered the following substitute:

REPORT OF COMMITTEE

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

Your joint committee composed of Senators Holdoegel (chairman), Mantz, Cessna, Ethell, Reed, Scott, Tuck, Johnston, and Representatives Edson (House chairman), Clark, Garber, Doolittle, Moen, O'Donnell, Rankin, Himebauch, appointed to consider the question of code revision, begs leave to submit the following report and recommendations:

Your committee reports that it has conferred with the Governor and advised him that the Committee would recommend to both houses that the general assembly proceed at once with the work of code revision with the understanding that the introduction *and consideration* of general legislation *shall* not be restricted in any manner on account of such code revision work and the Committee has been assured by the Governor that if the work of code revision, together with general legislation cannot be completed within a session of the usual length that upon the Code Revision Committee making such report to him, he will immediately issue a call for an extra session for the purpose of completing the work, and the Committee therefore makes the following recommendations *provided, however, that each House reserves to itself the right to determine hereafter at any time when each House shall deem it advisable and necessary to suspend the work on Code Revision in order that general legislation may be given consideration.*

(1) That the code commissioners' bills be immediately introduced in both Houses, said bills *to retain the numbers assigned by the Code Commission. The Code Commission bills* to be numbered respectively one (1) to two hundred sixty-two (262), inclusive, general bills to commence in both houses with the number two hundred sixty three (263).

(2) The Committee further recommends that such bills be immediately referred by the respective presiding officer to the appropriate standing committees of the Senate and House as recommended by the Joint Code Revision Committee of the 39th General Assembly, as set out on pages sixteen hundred fifty (1650) to sixteen hundred fifty-nine (1659), inclusive, of the Senate Journal of the 39th General Assembly.

(3) The Committee further recommends that the lieutenant governor and the Speaker of the House of Representatives be requested to appoint a Joint Code Revision Committee which shall have general charge and oversight of the procedure and work of code revision.

(4) Provided, however, that no bill affecting Code revision shall be reported from any regular committee after the first day of February, 1923, and that no Code revision bill shall be considered or acted upon by the Senate after the first day of February, 1923, until all other bills introduced shall have been disposed of.

Senator Dutcher raised the point of order that the committee report must either be accepted or rejected and that the substitute was out of order.

The President held that the point of order was well taken.

Senator Price moved that the Senate adjourn until 10:00 a. m. Thursday. Motion lost.

Senator Newberry was called to the chair at 5:40 p. m.

President Hammill resumed the chair at 5:55 p. m.

On motion of Senator Price the Senate adjourned until 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER
DES MOINES, JANUARY 18, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. Howard P. Young, pastor of the Methodist church of Woodward, Iowa.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Bowman for the day on request of Senator McIntosh.

PETITIONS AND MEMORIALS

The following petition was presented:

By Senator Fulton, from Camp No. 1949, Modern Woodmen of America, Bonaparte, protesting the Richmond bill.

Referred to committee on insurance.

HOUSE RESOLUTION CONSIDERED

Senator Cessna called up the following House concurrent resolution and moved its adoption:

Be it Resolved, By the House of Representatives and the Senate of the Fortieth General Assembly; That,

Whereas, By section 19a of the interstate commerce act, providing for the valuation by the interstate commerce commission of the properties of common carriers, it is provided that "such investigation shall show the value of its property in each of the several states and territories and the District of Columbia, classified and in detail as herein required; and

Whereas, The commission in its valuation reports thus far made has shown the values of properties covered by such reports in each case as a whole only, and has failed to show the values thereof "in each of the several states and territories and the District of Columbia"; and

Whereas, The bureau of valuation of said commission has recommended to the commission that it request congress to relieve it from showing the values of said properties by states; and

Whereas, It is desirable for various uses and purposes that such valuation shall be shown separately by states, as aforesaid:

Resolved, That the Fortieth General Assembly of the state of Iowa now in session expresses its view that the interstate commerce commission should show as to each interstate carrier the value of its property in each of the several states in which said property exists, and that no change in the law to sanction failure to make such showing ought to be sought or made; and be it further

Resolved, That a copy of this resolution be mailed to each United States senator and each member of congress from Iowa.

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

Ayes, 46

Abben	Ethell	Mantz	Shane
Adams	Fulton	Mead	Shinn
Baird	Gilchrist	Nelson	Slosson
Banta	Goodwin	Newberry	Smith
Bergman	Hale	Olson	Snook
Brookins	Hartman	Perkins	Stoddard
Browne	Haskell	Price	Thurston
Buser	Holdoegel	Reed	Tuck
Caldwell	Horchem	Rees	White
Campbell	Johnston	Romkey	Wichman
Cessna	Kimberly	Scott	
Darting	McIntosh	Schaff	

Nays, none.

Absent or not voting, 4

Bowman	Brookhart	Chase	Dutcher
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The resolution having received a constitutional majority was declared to have been adopted by the Senate.

SENATE RULE ON CONSIDERATION OF BILLS

Senator Holdoegel offered the following:

I move the adoption of the following Senate rule:

Bills and resolutions shall have precedence in the following order:

Code revision bills shall have precedence over all other bills up to and including February 1, 1923. From and after February 1, general legislation shall have precedence over code revision bills, except, that when there is no regular legislation ready for the action of the Senate or when by a majority vote the Senate does so order, code revision bills may be taken up and considered and acted upon by the Senate.

Senator Holdoegel moved that the rule be adopted.

Senator White moved that the rule be referred to the committee on rules. The motion was lost.

Senator White raised the point of order that the rules had not been suspended for the consideration at this time.

The President held that the point of order was not well taken, as this was not a resolution.

Senator Smith moved the previous question, which motion prevailed, and the previous question was ordered.

On the question, "Shall the motion of Senator Holdoegel prevail, and the rule be adopted?" the vote was:

Ayes, 42.

Abben	Darting	Johnston	Scott
Adams	Dutcher	Kimberly	Schaff
Baird	Ethell	Mantz	Shane
Banta	Fulton	Newberry	Shinn
Bergman	Gilchrist	Olson	Slosson
Brookhart	Goodwin	Perkins	Smith
Brookins	Hale	Price	Snook
Browne	Hartman	Reed	Stoddard
Caldwell	Haskell	Rees	Tuck
Campbell	Holdoegel	Romkey	Wichman
Cessna	Horchem		

Nays, 5

Buser	Mead	Nelson	Thurston
McIntosh			

Absent or not voting, 3.

Chase	White	Bowman
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The motion prevailed and the rule was declared adopted.

Senate resumed consideration of the report of the committee on code revision.

Senator Tuck moved the previous question, which motion prevailed, and the previous question was ordered.

Senator Baird invoked Rule 8.

On the question, "Shall the report be adopted?" the vote was:

Ayes, 40

Abben	Ethell	Kimberly	Schaff
Baird	Fulton	Mantz	Shane
Banta	Gilchrist	Newberry	Shinn
Brookhart	Goodwin	Olson	Slosson
Brookins	Hale	Perkins	Smith
Caldwell	Hartman	Price	Snook
Campbell	Haskell	Reed	Stoddard
Cessna	Holdoegel	Rees	Tuck
Darting	Horchem	Romkey	White
Dutcher	Johnston	Scott	Wichman

Nays, 7

Adams	Buser	Mead	Thurston
Browne	McIntosh	Nelson	

Absent or not voting, 3

Bergman	Bowman	Chase
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The report having received a constitutional majority was declared to have been adopted by the Senate.

INTRODUCTION OF BILLS

By Senator McIntosh, Senate File No. 263, a bill for an act to prohibit the buying and receiving of intoxicating liquors by any per-

son, either directly or indirectly, and to provide penalty therefor.

Read first and second time and referred to committee on suppression of intemperance.

By Senator McIntosh, Senate File No. 264, a bill for an act to amend section four hundred ninety-nine-a1 (499-a1) of chapter seven-a (7-a) acts of the Thirty-ninth General Assembly relating to all election precincts having a double election board.

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

By Senator McIntosh, Senate File No. 265, a bill for an act to provide for the seizure and disposition of any vehicle containing intoxicating liquors which are being transported in violation of law.

Read first and second time and referred to committee on suppression of intemperance.

By Senator Bowman, Senate File No. 266, a bill for an act to amend section seven hundred twenty-five (725) of the supplement to the code of Iowa, 1913, (C. C. 3973) relating to the powers of cities and towns to regulate public utilities, rates and services.

Read first and second times and referred to committee on telephones.

By Senator Tuck, Senate File No. 267, a bill for an act to repeal section thirty-five (35) of chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly (C. C. 2943) as amended by chapters fifty-six (56) and one hundred four (104), acts of the Thirty-ninth General Assembly, relating to the primary road system and to enact a substitute therefor.

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

By Senator Bowman, Senate File No. 268, a bill for an act to amend chapter two hundred and thirty-seven (237), acts of the Thirty-eighth General Assembly, (C. C. chapter six (6), title XI, as amended by chapter twenty (20), acts of the Thirty-ninth General Assembly, relating to the construction, improvement and maintenance of highways.

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

By Senator Snook, Senate File No. 269, a bill for an act prohibiting public officers and employees from receiving public funds as compensation for services in addition to the amount to which they are entitled by virtue of their office and fixing a penalty for its violation.

Read first and second time and referred to committee on county and township affairs.

By Senator Buser, Senate File No. 270, a bill for an act to amend paragraph one (1) of section one thousand three hundred four (1304) of the supplemental supplement to the code, 1915, as amended by chapter two hundred fifty-seven (257) of the acts of the Thirty-eighth General Assembly (C. C. sec. 4482), relating to exemption from taxation of municipal, school and drainage bonds or certificates.

Read first and second time and referred to committee on ways and means.

By Senators Mead and Caldwell, Senate File No. 271, a bill for an act to define the crime of murder in the case of death resulting from the consuming of intoxicating liquor.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Ethell, Senate File No. 272, a bill for an act to repeal sections twenty-seven hundred fifty-seven (2757), supplemental supplement of 1915 to the code (C. C. sec. 2548), and section twenty-seven hundred fifty-eight (2758) of the supplement of 1913 to the code (C. C. sec. 2545) relating to organizing of school boards, meetings of the directors, election of officers, reports of the secretaries and treasurers to the board, the qualifications of school officers, extension of the term in certain districts and providing for the filling of vacancies in office and enact a substitute therefor.

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

By Senator Caldwell, Senate File No. 273, a bill for an act to provide a privilege tax on gasoline and other motor fuel oils received or manufactured for use or distribution within the state; to provide for the collection of such tax by the state oil inspector; to provide for the payment of the proceeds therefrom to the state treasurer; to provide a fund to be known as the primary trunk road fund; to provide for the establishment of a primary trunk road system; and to provide for the surfacing of such road system, the expense thereof to be paid from the primary trunk road fund under the direction of the state highway commission; to provide for the payment of certain money from the motor vehicle fund to the respective counties and townships for road purposes; and to provide a penalty for the violation of the provisions of this act.

Read first and second time and referred to committee on ways and means.

By Senator Tuck, Senate File No. 274, a bill for an act making it unlawful for any county, township, school district, city or town to issue bonds without first submitting the proposition to issue such bonds to a vote of the people.

Read first and second time and referred to committee on county and township affairs.

By Senator Tuck, Senate File No. 275, a bill for an act to repeal section four (4), chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly, as amended by chapter twenty (20), acts of the Thirty-ninth General assembly, and enact a substitute therefor, and to amend section six (6) of said chapter as amended by chapter twenty (20), acts of Thirty-ninth General Assembly, relating to the construction, improvement and maintenance of highways.

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

By Senator Cessna, Senate File No. 276, a bill for an act to amend chapter three hundred thirty-six (336), acts of the Thirty-ninth General Assembly, relating to war emergency and temple of justice funds.

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

By Senator Buser, Senate File No. 277, a bill for an act to amend chapter two hundred thirty-seven (237) of the acts of the Thirty-eighth General Assembly, as amended by the acts of the Thirty-ninth General Assembly (C. C. sections 2926, 2944, 2959 and 2960) so as to reduce the percentage of cost for hard surfacing roads taxed against benefited districts from twenty-five per cent of such cost to ten per cent thereof.

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

By Senator Buser, Senate File No. 278, a bill for an act to repeal chapter eighty-five (85) of the acts of the Thirty-eighth General Assembly (C. C. sec. 3974-3978 inclusive), relating to the appointment of trustees in cities and towns owing their own waterworks, heating plants, gas works, or electric light or electric power plants; and providing the duties of such trustees and fixing their compensation and to enact a substitute therefor.

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

By Senator Olson, Senate File No. 279, a bill for an act to make an emergency appropriation for the construction of an armory to take the place of the one destroyed by fire at the Iowa State College of Agriculture and Mechanic Arts.

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

By Senator Wichman, Senate File No. 280, a bill for an act to amend section seven hundred ninety-two-a (792-a), supplement to the code, 1913, (C. C. 3850) limiting the amount of special assessments to property in cities and towns.

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

By Senator Gilchrist, Senate File No. 281, a bill for an act to empower boards of supervisors to issue drainage warrants and thereby adjust and equalize drainage assessments in certain cases after drainage assessments have been or shall be made.

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

By Senator Wichman, Senate File No. 282, a bill for an act to legalize the proceedings of the board of supervisors of Cerro Gordo county, Iowa, in calling an election authorizing the issuance of bonds in the sum of fifty thousand dollars (\$50,000.00) to pay for the construction of a new county home building, and to legalize said election and all proceedings connected therewith and to validate said bonds.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Wichman, Senate File No. 283, a bill for an act to amend section two hundred twenty-seven (227), supplement to the code, 1915, (C. C. 6937) and to provide an additional judge for the twelfth judicial district.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Goodwin, Senate File No. 284, 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 military affairs.

By Senator Olson, Senate File No. 285, a bill for an act to legalize an election in the consolidated independent school district of Milford township, in the county of Story, state of Iowa, on the proposition of issuing bonds and to legalize all acts and proceedings of the board of directors in respect of the issuance and sale of said bonds.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Johnston, Senate File No. 286, a bill for an act to legalize an election in Lucas county, Iowa, and to legalize certain jail bonds and refunding bonds issued pursuant thereto.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Johnston, Senate File No. 287, a bill for an act to amend section four hundred three (403) of the supplement to the code, 1913 (C. C. sec. 3261), relating to the incurring of debt and the issuance of bonds of the county by the board of supervisors and providing for an election pertaining thereto.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Bowman, Joint Resolution No. 2, a joint resolution proposing an amendment to section one (1) of article VII of the constitution of the state of Iowa, relating to extending the credit of the state.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Newberry, Joint Resolution No. 3, a joint resolution proposing to amend article three (3) of the constitution of the state of Iowa by striking therefrom the word "male" appearing in section four (4) of said article three (3), as a limitation and qualification upon the eligibility of citizens to be members of the House of Representatives in the General Assembly of the State of Iowa.

Read first and second time and referred to committee on judiciary No. 2.

By unanimous consent, Senator McIntosh withdrew the concurrent resolution found on page 179 of the Senate Journal.

A LETTER FROM MRS. SCHAFFTER

To the Lieutenant Governor and the State Senate:

It is indeed difficult to express our very deep appreciation of all the kindnesses shown us by the Lieutenant Governor and the members of the Senate at the time of Mr. Schaffter's death. The flowers were so very beautiful, the letters which came to us from nearly every member

spoke such love and appreciation of him, that words can never tell what a real help it was to us. We especially want to thank the Lieutenant Governor and the Senators who so kindly came to be with us at this saddest time of our lives. It was such expressions of friendship which made it possible for us to endure our loss.

MRS. HATTIE SCHAFFTER

DOROTHY SCHAFFTER

MRS. CAMILLA SCHAFFTER-McCOMBER

The letter was read before the Senate and ordered printed in the Journal.

On request of Senator Caldwell two thousand extra copies of Senate File No. 273 were ordered printed.

The Journal of January 17th was corrected and approved.

Senator Scott moved that a committee of three be appointed to escort former Lieutenant Governor Moore to the desk.

The motion prevailed and the President appointed as such committee Senators Scott, White and Campbell.

Mr. Moore made a very interesting and instructive address to the Senate.

On motion of Senator Holdoegel the Senate adjourned until 2 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

CONCURRENT RESOLUTION

On motion of Senator McIntosh the following concurrent resolution was taken up and considered:

Whereas, Many million dollars of farm loans in Iowa are coming due March first, 1923, and a large number of Iowa farmers are desirous of availing themselves of the opportunities offered in the amendment, now before congress, to the farm loan act, therefore,

Be It Resolved by the House, the Senate concurring, That the Iowa delegation in congress be requested to use all honorable means in securing the adoption of this federal farm loan amendment, at the earliest possible date.

Senator McIntosh moved its adoption.

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

Ayes, 32

Abben	Darting	McIntosh	Romkey
Baird	Ethell	Mantz	Shaff
Brookins	Fulton	Mead	Shane
Browne	Goodwin	Nelson	Shinn
Buser	Hartman	Newberry	Slosson
Caldwell	Horchem	Olson	Snook
Campbell	Johnston	Price	Stoddard
Cessna	Kimberly	Rees	Thurston
-Nays, none.			
Absent or not voting, 18			
Adams	Chase	Holdoegel	Tuck
Banta	Dutcher	Perkins	White
Bergman	Gilchrist	Reed	Wichman
Bowman	Hale	Scott	
Brookhart	Haskell	Smith	

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

INTRODUCTION OF BILLS

By committee on code revision, Senate File No. 1, a bill for an act to amend, revise and codify sections forty-two (42) and forty-three (43) of the compiled code of Iowa, relating to the citation and form of bills for the amendment, revision, codification or repeal, of statutes.

Read first and second time and referred to committee on judiciary No. 1.

By committee on code revision, Senate File No. 2, a bill for an act to amend, revise, and codify sections four (4) to eight (8), inclusive, and forty-nine hundred sixty-two (4962) of the compiled code of Iowa, relating to the acquisition by the United States of lands in this state.

Read first and second times and referred to committee on land titles.

By committee on code revision, Senate File No. 3, a bill for an act to provide for a committee on bills.

Read first and second time and referred to committee on retrenchment and reform.

By committee on code revision, Senate File No. 4, a bill for an act to amend, revise and codify section fifty-three (53) of the compiled code of Iowa, relating to copies of laws taking effect by publication.

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

By committee on code revision, Senate File No. 5, a bill for an act to amend, revise, and codify sections fifty-six (56), fifty-seven (57), fifty-nine (59), and sixty-one (61) of the compiled code of Iowa, relating to the publication of the acts of the general assembly.

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

By committee on code revision, Senate File No. 6, a bill for an act to amend, revise and codify chapters five (5) and six (6) of title one (1) of the compiled code of Iowa, relating to the sale and distribution of codes and session laws, and the method of accounting therefor.

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

By committee on code revision, Senate File No. 7, a bill for an act to amend, revise, and codify section ninety-four (94) of the compiled code of Iowa, relating to the duties of the governor.

Read first and second time and referred to committee on ways and means.

By committee on code revision, Senate File No. 8, a bill for an act to amend, revise and codify subsection seven (7) of section one hundred eighteen (118), sections one hundred twenty-seven (127) to one hundred thirty-one (131), inclusive, one hundred thirty-three (133), one hundred thirty-four (134), one hundred thirty-six (136), and two hundred seventy-four (274) of the compiled code of Iowa, and sections one hundred thirty-two (132) and one hundred thirty-five (135) of the supplement to said code, relating to certain duties of the auditor of state and to uniform system of accounts of public corporations and organizations, and to the examination of such accounts.

Read first and second time and referred to committee on ways and means.

By committee on code revision, Senate File No. 9, a bill for an act to amend, revise, and codify sections one hundred forty-four (144), one hundred forty-six (146) to one hundred forty-nine (149), inclusive, one hundred fifty-one (151), one hundred fifty-three (153) to one hundred sixty (160), inclusive, of the compiled code of Iowa, and section one hundred fifty (150) of the supplement to said code, relating to appropriations and the draw-

ing and expenditure thereof, and to certain powers and duties of the treasurer of state, and to the security of the public funds.

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

By committee on code revision, Senate File No. 10, a bill for an act to amend, revise and codify chapter six (6) of title two (2) of the compiled code of Iowa and of the supplement to said code, relating to the department of justice and the attorney general.

Read first and second time and referred to committee on judiciary No. 2.

By committee on code revision, Senate File No. 11, a bill for an act to amend, revise and codify chapter seven (7) of title two (2) of the compiled code of Iowa, and sections one hundred sixty-nine (169) and one hundred seventy-five (175) of the supplement to said code, relating to the reporter of the supreme court and editor of the code, the preparation, printing, and distribution of the reports of the supreme court, and of annotations to the code, and making an appropriation therefor.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 12 withdrawn by code commission.

Senate File No. 13 withdrawn by code commission.

By committee on code revision, Senate File No. 14, a bill for an act to amend, revise and codify sections two hundred forty-eight (248) to two hundred fifty-six (256), inclusive, two hundred fifty-eight (258) to two hundred sixty-nine (269), inclusive, two hundred seventy-two (272), and two hundred seventy-three (273) of the compiled code of Iowa, relating to the powers and duties of the executive council and the employees thereof.

Read first and second time and referred to committee on ways and means.

By committee on code revision, Senate File No. 15, a bill for an act to amend, revise, and codify chapter thirteen (13), title two (2), of the compiled code of Iowa and of the supplement to said code; also sections seven hundred fourteen (714) and seven fifteen (715) of said code, relating to the filing and auditing of claims against the state.

Read first and second time and referred to committee on ways and means.

By committee on code revision, Senate File No. 16, a bill for an act to amend, revise and codify chapter fourteen (14) of title two (2) of the compiled code of Iowa, relating to the census.

Read first and second time and referred to committee on ways and means.

By committee on code revision, Senate File No. 17, a bill for an act to amend, revise, and codify chapter fifteen (15) of title two (2) of the supplement to the compiled code of Iowa, relating to deputies for certain state officers.

Read first and second time and referred to committee on ways and means.

By committee on code revision, Senate File No. 18, a bill for an act to amend, revise, and codify section two hundred ninety-eight (298) of the compiled code of Iowa, and section two hundred ninety-seven (297) of the supplement to said code, relating to the reports of public officers.

Read first and second time and referred to committee on ways and means.

By committee on code revision, Senate File No. 19, a bill for an act to amend, revise, and codify sections thirty-three hundred forty-eight (3348) to thirty-three hundred fifty-one (3351), inclusive, thirty-three hundred fifty-three (3353), thirty-seven hundred sixty-five (3765), thirty-seven hundred sixty-eight (3768), and thirty seven hundred seventy (3770) of the compiled code of Iowa, and sections thirty-three hundred fifty-two (3352), thirty-seven hundred sixty-seven (3767), and thirty-seven hundred sixty-nine (3769) of the supplement to said code, relating to memorial halls and monuments for soldiers, sailors, and marines.

Read first and second time and referred to committee on public lands and buildings.

By committee on code revision, Senate File No. 20, a bill for an act to amend, revise, and codify chapter one (1) of title four (4), and section eighty-four hundred fifty-six (8456) of the compiled code of Iowa, relating to time of holding elections and the term of office of the officers elected thereat.

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

By committee on code revision, Senate File No. 21, a bill for

an act to amend, revise and codify chapter two (2) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to nominations by primary elections.

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

By committee on code revision, Senate File No. 22, a bill for an act to amend, revise and codify chapter three (3) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to nominations by caucus, convention, or petition.

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

By committee on code revision, Senate File No. 23, a bill for an act to amend, revise and codify chapter four (4) of title four (4) of the compiled code of Iowa, relating to the nomination and election of judges of the supreme, district and superior courts.

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

By committee on code revision, Senate File No. 24, a bill for an act to amend, revise and codify chapter five (5) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the registration of voters.

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

By committee on code revision, Senate File No. 25, a bill for an act to amend, revise and codify chapter six (6) of title four (4) of the compiled code of Iowa and of the supplement to said code, and section thirty-four hundred forty-two (3442) of the compiled code of Iowa, and section four hundred ninety-nine-a eleven (499-a11) of the supplement to said code, relating to the method of conducting elections.

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

By committee on code revision, Senate File No. 26, a bill for an act to amend, revise, and codify sections four hundred sixty-six (466) to four hundred sixty-eight (468), inclusive, four hundred seventy (470), four hundred seventy-one (471), four hundred seventy-three (473) to four hundred seventy-six (476), inclusive, four hundred seventy-nine (479) to four hundred eighty-one (481), inclusive, four hundred eighty-four (484), four hundred

eighty-five (485), four hundred eighty-seven (487) to four hundred ninety (490), inclusive, and four hundred ninety-five (495) of the compiled code of Iowa, relating to the canvass of votes at elections.

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

By committee on code revision, Senate File No. 27, a bill for an act to amend, revise, and codify chapter nine (9) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the right of a voter to vote when disabled or when absent from the polls on election day, or when engaged in the service of the government of the United States, or of this state.

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

By committee on code revision, Senate File No. 28, a bill for an act to amend, revise, and codify section five hundred thirty-five (535) of the supplement to the compiled code of Iowa, relating to the election of presidential electors.

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

By committee on code revision, Senate File No. 29, a bill for an act to amend, revise, and codify chapter eleven (11) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the making of statements of expenses of candidates for office.

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

By committee on code revision, Senate File No. 30, a bill for an act to amend, revise, and codify sections five hundred sixty-nine (569), five hundred seventy-two (572) and five hundred seventy-three (573) of the compiled code of Iowa, relating to contesting elections of state officers.

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

By committee on code revision, Senate File No. 31, a bill for an act to amend, revise and codify sections six hundred (600), six hundred nine (609) and six hundred ten (610) of the compiled code of Iowa, relating to the time and manner of qualifying of elected or appointed officers.

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

By committee on code revision, Senate File No. 32, a bill for an act

to amend, revise, and codify chapter nineteen (19) of title four (4) of the compiled code of Iowa and of the supplement to said code, and sections two hundred forty-one-a thirty-six (241-a36) and two hundred forty-seven-a one (247-a1) of the supplement to said code, relating to the bonds of public officers.

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

By committee on code revision, Senate File No. 33, a bill for an act to amend, revise and codify sections six hundred thirty-two (632) and six hundred thirty-eight (638) of the compiled code of Iowa, relating to the release of sureties on bonds of public officers.

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

By committee on code revision, Senate File No. 34, a bill for an act to amend, revise, and codify chapter twenty-one (21) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to removal from office.

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

By committee on code revision, Senate File No. 35, a bill for an act to amend, revise, and codify sections six hundred sixty-eight (668) and six hundred seventy-one (671) of the compiled code of Iowa, relating to vacancies in office.

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

By committee on code revision, Senate File No. 36, a bill for an act to amend, revise, and codify chapter twenty-four (24) of title four (4) of the supplement to the compiled code of Iowa, relating to the right of soldiers, sailors, marines, and nurses to preference in appointment to office.

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

By committee on code revision, Senate File No. 37, a bill for an act to amend, revise, and codify chapter twenty-five (25) of title four (4) and sections seven hundred twenty-three (723) and seven hundred twenty-four (724) of the compiled code of Iowa, relating to the duty of public officers in the matter of public contracts.

Read first and second time and referred to committee on judiciary No. 2.

By committee on code revision, Senate File No. 38, a bill for an act to amend, revise and codify sections six hundred ninety-four (694), six hundred ninety-eight (698), seven hundred (700)

and seven hundred three (703) of the compiled code of Iowa, relating to notaries public.

Read first and second time and referred to committee on judiciary No. 1.

By committee on code revision, Senate File No. 39, a bill for an act to amend, revise and codify section seven hundred four (704) of the compiled code of Iowa, relating to the administration of oaths.

Read first and second time and referred to committee on judiciary No. 2.

By committee on code revision, Senate File No. 40, a bill for an act to amend, revise and codify sections seven hundred six (706), seven hundred seven (707), seven hundred ten (710), seven hundred sixteen (716), seven hundred seventeen (717), seven hundred nineteen (719) to seven hundred twenty-two (722), inclusive, of the compiled code of Iowa, relating to the deposit of public funds by officers, and to the salaries, fees, expenses and expenditures of such officers, and to the publication and posting of legal notices.

Read first and second time and referred to committee on judiciary No. 1.

By committee on code revision, Senate File No. 41, a bill for an act to amend, revise and codify chapters one (1) and two (2) of title five (5) of the compiled code of Iowa, and sections seven hundred twenty-nine (729), seven hundred thirty-two (732) and seven hundred eighty (780) of the supplement to said code, relating to coal mines, gypsum mines and mining.

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

By committee on code revision, Senate File No. 42, a bill for an act to amend, revise and codify chapter three (3) of title five (5) of the compiled code of Iowa, and sections eight hundred thirty-two (832) and eight hundred forty-three (843) of the supplement to said code, relating to employers' liability and workmen's compensation.

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

By committee on code revision, Senate File No. 43, a bill for an act to amend, revise and codify sections eight hundred fifty-nine (859), eight hundred sixty-one (861), eight hundred sixty-two (862), eight hundred eighty-three (883) of the compiled code of Iowa, and section eight hundred sixty (860) of the supplement

to said code, relating to health and safety appliances and industrial accidents.

Read first and second time and referred to committee on public health.

By committee on code revision, Senate File No. 44, a bill for an act to amend, revise and codify sections eight hundred eighty-two (882) and eight hundred eighty-four (884) to eight hundred ninety (890), inclusive, of the compiled code of Iowa, and section eight hundred eighty-eight (888) of the supplement to said code, relating to child labor.

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

By committee on code revision, Senate File No. 45, a bill for an act to amend, revise and codify chapter twelve (12) of title five (5) of the compiled code of Iowa, and section ten hundred sixty-four (1064) of the supplement to said code, relating to fire escapes and means of escape from fire.

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

By committee on code revision, Senate File No. 46, a bill for an act to amend, revise and codify sections eight hundred seventy-three (873) to eight hundred eighty-one (881), inclusive, of the compiled code of Iowa, and section eight hundred eighty-one (881) of the supplement to said code, relating to the bureau of labor and the labor commissioner, his deputies and inspectors, their duties and jurisdiction.

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

By committee on code revision, Senate File No. 47, a bill for an act to amend, revise and codify sections eight hundred ninety-one (891) to eight hundred ninety-eight (898), inclusive, of the compiled code of Iowa, and section eight hundred ninety-one (891) of the supplement to said code, relating to the state free employment bureau, free employment service, and employment agencies.

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

By committee on code revision, Senate File No. 48, a bill for an act to amend, revise and codify sections eight hundred sixty-four (864), eight hundred sixty-five (865), eight hundred sixty-eight (868) and eight hundred seventy-one (871) of the compiled code of Iowa, relating to boards of arbitration.

Read first and second time and referred to committee on judiciary No. 2.

By committee on code revision, Senate File No. 49, a bill for an act to amend, revise and codify section eight hundred sixty-three (863) of the compiled code of Iowa, relating to assumption of risks.

Read first and second time and referred to committee on judiciary No. 1.

By committee on code revision, Senate File No. 50, a bill for an act to amend, revise and codify chapter twenty-two (22) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the suspension of state officers.

Read first and second time and referred to committee on judiciary No. 2.

By committee on code revision, Senate File No. 51, a bill for an act to amend, revise and codify sections nine hundred seventeen (917), nine hundred twenty (920) to nine hundred twenty-two (922), inclusive, nine hundred twenty-four (924), nine hundred twenty-nine (929), nine hundred thirty-three (933) to nine hundred thirty-six (936), inclusive, nine hundred sixty-seven (967), nine hundred seventy-four (974), nine hundred seventy-six (976), nine hundred seventy-seven (977), nine hundred eighty-four (984), nine hundred eighty-eight (988), nine hundred ninety-nine (999), ten hundred four (1004), ten hundred five (1005), ten hundred seven (1007), ten hundred ten (1010), ten hundred thirteen (1013) and ten hundred sixteen (1016) of the compiled code of Iowa, relating to the manufacture, sale and transportation of intoxicating liquors.

Read first and second time and referred to committee on suppression of intemperance.

By committee on code revision, Senate File No. 52, a bill for an act to amend, revise and codify sections ten hundred twenty-eight (1028) to ten hundred thirty (1030), inclusive, and sections ten hundred thirty-two (1032), ten hundred thirty-five (1035) and ten hundred thirty-six (1036) of the compiled code of Iowa, relating to houses of prostitution.

Read first and second time and referred to committee on public health.

By committee on code revision, Senate File No. 53, a bill for an act to amend, revise and codify chapter ten (10) of title five (5) of the compiled code of Iowa, and sections ten hundred thirty-

nine (1039), ten hundred forty-nine (1049) and ten hundred fifty-three (1053) of the supplement to said code, relating to the state fire marshal and the prevention and investigation of fires.

Read first and second time and referred to committee on ways and means.

By committee on code revision, Senate File No. 54, a bill for an act to amend, revise and codify chapters fifteen (15) and sixteen (16) of title five (5) of the compiled code of Iowa, and sections eleven hundred six (1106), eleven hundred ten (1110), eleven hundred twenty-four (1124), eleven hundred twenty-eight (1128), eleven hundred thirty-six (1136), eleven hundred thirty-seven (1137), eleven hundred seventy-five (1175), eleven hundred twenty-a one (1120-a1) to eleven hundred twenty-a four (1120-a4), inclusive, of the supplement to said code, relating to propagation and protection of fish, game, wild birds, and animals.

Read first and second time and referred to committee on fish and game.

By committee on code revision, Senate File No. 55, a bill for an act to amend, revise and codify sections eleven hundred seventy-seven (1177) and eleven hundred eighty-four (1184) of the compiled code of Iowa, and sections eleven hundred seventy-seven-a one (1177-a1), eleven hundred seventy-seven-a two (1177-a2) and eleven hundred eighty-two-a one ((1182-a1) of the supplement to said code, relating to public parks.

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

By committee on code revision, Senate File No. 56, a bill for an act to amend, revise and codify section eleven hundred ninety-nine (1199) of the compiled code of Iowa, relating to fences.

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

By committee on code revision, Senate File No. 57, a bill for an act to amend, revise and codify sections twelve hundred four (1204) to twelve hundred seven (1207), inclusive, and twelve hundred nine (1209) of the compiled code of Iowa, relating to lost property.

Read first and second time and referred to committee on judiciary No. 1.

By committee on code revision, Senate File No. 58, a bill for an act to amend, revise and codify sections twelve hundred

fourteen (1214), twelve hundred seventeen (1217), twelve hundred eighteen (1218), twelve hundred nineteen (1219), twelve hundred twenty-two (1222) and twelve hundred twenty-six (1226) of the compiled code of Iowa relating to the practice of professional engineering and land surveying.

Read first and second time and referred to committee on judiciary* No. 2.

By committee on code revision, Senate File No. 59, a bill for an act to amend, revise and codify chapter twenty-one (21) of title five (5) of the compiled code of Iowa, relating to certified shorthand reporters.

Read first and second time and referred to committee on judiciary No. 1.

By committee on code revision, Senate File No. 60, a bill for an act to amend, revise and codify chapter twenty-two (22) of title five (5) of the compiled code of Iowa, relating to certified public accountants.

Read first and second time and referred to committee on judiciary No. 2.

By committee on code revision, Senate File No. 61, a bill for an act to amend, revise and codify chapter twenty-three (23) of title five (5) of the compiled code of Iowa, relating to gold and silver alloy.

Read first and second time and referred to committee on judiciary No. 1.

By committee on code revision, Senate File No. 62, a bill for an act to amend, revise and codify chapter twenty-four (24) of title five (5) of the compiled code of Iowa, relating to the manufacture, branding and labeling of mattresses and comforts.

Read first and second time and referred to committee on public health.

Senate File No. 63, withdrawn by code commission.

Senate File No. 64, withdrawn by code commission.

By committee on code revision, House File No. 65, a bill for an act to amend, revise, and codify chapters one (1) and three (3) of title eight (8) of the compiled code of Iowa, and sections sixteen hundred thirty-six-a one (1636-a1) to sixteen hundred thirty-six-a eight (1636-a8), inclusive, sixteen hundred thirty-seven (1637) and sixteen hundred fifty-three-a seven (1653-a7) of the supplement to said code, relating to the department of agri-

culture, county and district fairs or agricultural societies, farmers' institutes, and short courses.

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

By committee on code revision, Senate File No. 66, a bill for an act to amend, revise and codify chapters eight (8) and nine (9) of title eight (8) of the compiled code of Iowa and of the supplement to said code; also sections sixteen hundred fifty-seven (1657), sixteen hundred sixty (1660), sixteen hundred sixty-one (1661), sixteen hundred seventy (1670), sixteen hundred seventy-one (1671), sixteen hundred seventy-three (1673), sixteen hundred seventy-five (1675), sixteen hundred seventy-six (1676), and sixteen hundred seventy-seven (1677) of the compiled code of Iowa, and section sixteen hundred seventy-eight (1678) of the supplement to said code, relating to farm improvement associations, Iowa corn and small grain growers' associations, Iowa state dairy association, Iowa beef cattle producers' association, and poultry associations.

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

By committee on code revision, House File No. 67, a bill for an act to amend, revise, and codify sections sixteen hundred ninety-five (1695), seventeen hundred one (1701), seventeen hundred five (1705), seventeen hundred eleven (1711) of the compiled code of Iowa, and sections sixteen hundred ninety-three (1693), sixteen hundred ninety-four (1694), sixteen hundred ninety-eight-a two (1698-a2) and sixteen hundred ninety-eight-a three (1698-a3) of the supplement to said code, relating to the horticultural society, the annual state horticultural exposition, and fruit tree and forest reservations.

Read first and second time and referred to committee on horticulture and forestry.

By committee on code revision, Senate File No. 68, a bill for an act to amend, revise and codify chapter twelve (12) to eighteen (18), inclusive, of title eight (8) of the compiled code of Iowa and of the supplement to said code, relating to the commission of animal health, state veterinary surgeon, veterinary medicine, infectious and contagious diseases among animals, hog cholera serum, virus and other biological products, and the use and disposal of the dead bodies of animals.

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

By committee on code revision, Senate File No. 69, a bill for an act to amend revise and codify chapter nineteen (19) of title eight (8) of the compiled code of Iowa, relating to registration of animals.

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

By committee on code revision, Senate File No. 70, a bill for an act to amend, revise, and codify section eighteen hundred sixteen-a four (1816-a4) of the supplement to the compiled code of Iowa, relating to the lien for services of stallions and jacks.

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

By committee on code revision, Senate File No. 71, a bill for an act to amend, revise and codify chapter twenty-two (22) of title eight (8) and sections thirty-one hundred forty-two (3142) and thirty-one hundred forty-three (3143) of the compiled code of Iowa, and sections thirty-one hundred thirty-nine-a one (3139-a1) to thirty-one hundred thirty-nine-a fourteen (3139-a14), inclusive, and thirty-one hundred forty (3140) of the supplement to said code, relating to neglected, disabled and abandoned animals, animals running at large, estrays, dogs and the responsibility therefor, the licensing of dogs, the rights and duties resulting from such licensing or failure to license, and the payment of claims for damages done by dogs and wolves.

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

By committee on code revision, Senate File No. 72, a bill for an act to amend, revise and codify section five hundred ninety-one (591) of the compiled code of Iowa, relating to the testimony of witnesses in cases of contested elections.

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

By committee on code revision, Senate File No. 73, a bill for an act to amend, revise and codify sections twenty-eight (28), fifty-three hundred seventy-five (5375), sixty-two hundred thirty-eight (6238), and seventy-three hundred nineteen (7319) of the compiled code of Iowa, relating to the attendance of witnesses, and the compulsory giving of testimony and production of evidence.

Read first and second time and referred to committee on judiciary No. 2.

By committee on code revision, Senate File No. 74, a bill for an act to amend, revise and codify chapter nine (9) of title twenty-one (21) of the compiled code of Iowa, relating to limited partnership.

Read first and second time and referred to committee on judiciary No. 1.

By committee on code revision, Senate File No. 75, a bill for an act to amend, revise and codify chapter two (2) of title twenty-two (22) of the compiled code of Iowa relating to chattel mortgages and conditional sales of personal property and sales of stocks of merchandise in bulk.

Read first and second time and referred to committee on judiciary No. 2.

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 Senate is asked:

House Joint Resolution No. 4, joint resolution relating to the selection of additional employees of the Fortieth General Assembly of the state of Iowa, fixing their compensation, and defining their duties.

Also, that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

House concurrent resolution extending an invitation to Hon. J. A. O. Preus, Governor of Minnesota, to address a joint convention on February 9, 1923.

Also, that the House has passed the following concurrent resolution in which the concurrence of the House was asked:

Senate concurrent resolution relating to compiled code references.

Also, that the House has passed the following concurrent resolution in which the concurrence of the House was asked:

Senate concurrent resolution memorializing congress for a constitutional amendment relative to tax exempt securities.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House Joint Resolution No. 4, a joint resolution relating to the selection of additional employees of the Fortieth General Assembly of the State of Iowa, fixing their compensation, and defining their duties.

Read first and second time.

THIRD READING OF BILLS

On motion of Senator Reed, House Joint Resolution No. 4, joint resolution relating to the selection of additional employees of the Fortieth General Assembly of the State of Iowa, fixing their compensation, and defining their duties, was taken up and considered.

The resolution was read for information.

On motion of Senator Reed the rule was suspended whereby no joint resolution may be read a second and third time the same day, also the rule requiring reference to a committee.

Senator Reed moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes—27

Abben	Haskell	Nelson	Shaff
Baird	Horchem	Newberry	Shane
Ethell	Johnston	Olson	Shinn
Fulton	Kimberly	Reed	Slosson
Goodwin	McIntosh	Rees	Snook
Hale	Mantz	Romkey	Stoddard
Hartman	Mead	Scott	

Nays—2

Buser
Absent or not voting—21

Adams	Brookins	Chase	Perkins
Banta	Browne	Darting	Price
Bergman	Caldwell	Dutcher	Smith
Bowman	Campbell	Gilchrist	Thurston
Brookhart	Cessna	Holdoegel	Tuck
			Wichman

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

HOUSE RESOLUTION CONSIDERED

Senator Reed called up for consideration the following House concurrent resolution:

Be It Resolved by the House, the Senate concurring:

That a joint convention of the two houses of the Fortieth General Assembly be held on February 9, 1923, at 11:00 a. m.

Be It Further Resolved, That the Hon. J. A. O. Preus, Governor of Minnesota, be invited to speak at this joint meeting of the two houses of the General Assembly and that the Speaker of the House and the President of the Senate be designated to deliver the invitation to him.

By unanimous consent the resolution was taken up and considered.

Senator Reed moved its adoption.

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

Ayes—28

Abben	Fulton	Newberry	Slosson
Adams	Goodwin	Olson	Snook
Baird	Hale	Reed	Stoddard
Browne	Hartman	Rees	Thurston
Buser	Horchem	Scott	
Caldwell	McIntosh	Shaff	
Campbell	Mantz	Shane	
Ethell	Nelson	Shinn	

Nays—2

Haskell White

Absent or not voting—20

Banta	Cessna	Holdoegel	Price
Bergman	Chase	Johnston	Romkey
Bowman	Darting	Kimberly	Smith
Brookhart	Dutcher	Mead	Tuck
Brookins	Gilchrist	Perkins	Wichman

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

CONCURRENT RESOLUTION

Senator Price offered the following resolution:

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

Whereas, It is impracticable for the interstate commerce commission to attempt to supervise the distribution of cars as between individual shippers throughout the United States; and

Whereas, There should be some governmental authority within reasonable reach to which appeal can be made to require equitable distribution of cars without regard to whether the same are to be used for shipments interstate or intrastate: Therefore,

Be It Resolved, That we respectfully urge upon congress the amendment of the interstate commerce act in such way that the regulatory authorities of the states may make reasonable orders and regulations not in conflict with federal law, or with lawful orders of the interstate commerce commission, requiring cars within the respective borders of such states to be equitably distributed to shippers desiring the same, without regard to whether they are desired for use in shipments that are interstate or intrastate.

We urge upon congress the repeal of section 15a of the interstate commerce act as amended by the Esch-Cummins act and the making of such other amendments thereto as shall clearly limit and define the power as exists between the interstate commerce commission and state commission that there may be no misunderstanding that the state com-

missions definitely have the same authority over rates as existed before the enactment of the transportation act.

Resolved, That a copy of this resolution be mailed to each United States senator and each member of congress from Iowa.

By unanimous consent the resolution was taken up and considered.

Senator Price moved its adoption and invoked Rule 8.

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

Ayes, 39

Abben	Fulton	McIntosh	Shane
Baird	Gilchrist	Mantz	Shinn
Bergman	Goodwin	Mead	Slosson
Brookins	Hale	Nelson	Smith
Buser	Hartman	Newberry	Snook
Caldwell	Haskell	Olson	Stoddard
Campbell	Holdoegel	Price	Thurston
Cessna	Horchem	Reed	Tuck
Darting	Johnston	Rees	White
Ethell	Kimberly	Ronkey	

Nays, 1

Shaff

Absent or not voting, 10

Adams	Brookhart	Dutcher	Wichman
Banta	Browne	Perkins	
Bowman	Chase	Scott	

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

On motion of Senator Reed the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER.

DES MOINES, IOWA, JANUARY 19, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. M. R. Rhonenee, pastor of the African Methodist church of Burlington, Iowa.

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

PETITIONS AND MEMORIALS

The following petitions were presented:

By Senator Fulton from Camp No. 5909 Modern Woodmen of America, Keosauqua, protesting the Richmond bill.

Referred to committee on insurance.

By Senator Price from the Womens' Club of Knoxville, endorsing the Teachers' Annuity bill.

Referred to the committee on schools.

By Senator Shinn from Camp No. 3499, Modern Woodmen of America, Portsmouth, protesting the Richmond bill.

Referred to the committee on insurance.

The following joint resolutions were ordered printed in the Journal:

JOINT RESOLUTION NO. 2

AMENDMENT TO THE CONSTITUTION PROPOSED.

Joint resolution proposing an amendment to Section one (1) of Article VII of the Constitution of the State of Iowa, relating to extending the credit of the State.

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 VII of the Constitution of the State of Iowa be amended by adding thereto the following:

"Provided, however, the State may become indebted to establish and maintain a system of rural credits and thereby loan money and extend credit to the people of the State upon real estate security in such manner and upon such terms and conditions as may be prescribed by general 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 shall cause the same to be published for three (3) months previous to the day of said election as provided by law.

JOINT RESOLUTION NO. 3

By Newberry:

Proposing to amend Article three (3) of the Constitution of the State of Iowa by striking therefrom the word "male" appearing in Section four (4) of said Article three (3), as a limitation and qualification upon the eligibility of citizens to be members of the House of Representatives in the General Assembly of the State of Iowa.

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

That the following amendment to Section four (4) of Article three (3) of the Constitution of the State of Iowa be and the same is hereby proposed: that the word "male" appearing before the word "citizen" in the third line of said Section four (4) of Article three (3) of the Constitution of the State of Iowa, as the same is published in the Code of 1897, said Section four (4) appearing on page eighty-four (84) of said Code of 1897, be stricken from said Section four (4) of Article three (3) of the Constitution of the State of Iowa.

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 date of said election, as provided by law.

INTRODUCTION OF BILLS

Senate File No. 288, by Senator Horchem, a bill for an act authorizing cities and towns owning waterworks, including cities under special charter, to extend water mains and levy special assessments therefor against the benefited privately owned property.

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

Senate File No. 289, by Senator Horchem, a bill for an act to authorize and empower governing board of any cemetery association, and any town, city or village having a cemetery under

its control, to make a reasonable annual assessment upon the lots in said cemetery.

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

Senate File No. 290, by Senator McIntosh, a bill for an act to repeal section two thousand four hundred sixty-one-m (2461-m) of the supplemental supplement to the code, 1915, (C. C. Sec. 1024), and to enact a substitute therefor defining persistent violators of the intoxicating liquor laws and fixing penalties for such violations.

Read first and second time and referred to committee on suppression of intemperance.

Senate File No. 291, by Senator Shinn, a bill for an act to amend section fifty-seven hundred eighteen-a-eighteen (5718-a-18), supplement to the code, 1913, relating to paroles.

Read first and second time and referred to committee on penal and correctional institutions.

Senate File No. 292, by Senator Nelson, a bill for an act to amend the law as found in chapter four hundred fifteen (415) of the acts of the Thirty-seventh General Assembly (C. C. sec. four thousand eight hundred thirty-seven (4837)), relating to the straightening of creeks and rivers.

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

Senate File No. 293, by Senator Johnston, a bill for an act to repeal the law as the same appears in article five (5) section sixteen hundred eighty-three-c (1683-c) supplement to the code, 1913 (C. C. Sec. 1656), enacting a substitute therefor and by striking out and repealing the law in part as the same appears in section sixteen hundred eighty-three-b (1683-b) supplement to the code, 1913 (C. C. sec. 1655) relating to farm aid association.

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

Senate File No. 294, by Senator Johnston, a bill for an act to amend section one of chapter thirty-six of the Thirty-eighth General Assembly (C. C. sec. 1658) relating to the appropriation of funds of the county by the board of supervisors to farm improvement associations and providing for an election relating thereto and for levying a tax therefor.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 295, by Senator Goodwin, a bill for an act to repeal sections twenty-one hundred twenty-six (2126) of the code (C. C. 5177), twenty-one hundred forty-six (2146) of the code (C. C. 5201), twenty-one hundred forty-five (2145), supplement to the code, 1913 (C. C. 5200), relating to the powers and duties of the board of railroad commissioners, and the regulation of carriers.

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

Senate File No. 296, by Senator Goodwin, a bill for an act to repeal section twenty-one hundred twenty-eight (2128) of the code (C. C. 5179) relating to schedules of rates and fares, and the powers and duties of the board of railroad commissioners with respect thereto.

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

On request of Senator Dutcher, the committee on code revision was excused from the morning session to hold a committee meeting.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stoddard for an indefinite period, on request of Senator Perkins; Senator Adams, for the day, on request of Senator Campbell.

RECOMMENDATION BY COMMITTEE ON CODE REVISION

Senator Dutcher presented the following report and recommendation from the joint committee on code revision:

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

Your joint code revision committee beg leave to report recommending the following rules of procedure applicable to the work of code commissioners' bills:

(1) That odd numbered bills be first put upon passage in the Senate, and even numbered bills be first put upon passage in the House.

(2) That the code revision committee report from time to time, suggesting such code commissioners' bills as in its opinion should be given precedence both in the matter of consideration by the several standing committees to which they have been referred, and in the matter of consideration upon the floor of the Senate and House.

(3) The committee at this time recommends that the following bills be given precedence over other code commissioners' bills:

1, 2, 4, 5, 6, 9, 10, 17, 19, 37, 38, 39, 48, 52, 55, 56, 57, 58, 59, 60, 61, 62, 70, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 93, 94, 95, 96, 97, 98, 103, 104, 113, 116, 131, 132, 135, 136, 139, 141, 142, 144, 146, 147, 148, 150, 152, 153, 154, 156, 157, 159, 160, 161, 162, 163, 164, 165, 166, 167, 170, 171, 173, 174, 180, 181, 182, 201, 202, 204, 205, 206, 207, 208, 213, 214, 218, 219, 222, 223, 224, 225, 226, 227, 228, 232, 233, 234, 235, 239, 242, 243, 244, 248, 249, 255, 258, 259.

(4) That the several standing committees to which bills are referred be requested and directed to report upon bills recommended for precedence as soon as practicable.

(5) That any rule of the Senate or House requiring standing committees to report on bills within a given time after their reference shall not apply to code commissioners' bills unless so ordered by the Senate or House.

(6) That any standing committee desiring to report on code commissioners' bills other than those recommended by the code revision committee for precedence is requested to report such fact to the code revision committee before reporting out such bills for passage.

(7) That code commissioners' bills that have been passed by one House shall have priority on the calendar of the other House over other code commissioners' bills.

CHAS. M. DUTCHER, *Chairman.*

On request of Senator Dutcher the report was ordered printed in the Journal and was laid over under the rules.

INTRODUCTION OF BILLS

Senate File No. 76, by committee on code revision, a bill for an act to amend, revise and codify section sixty-three hundred forty-seven (6347) of the compiled code of Iowa, relating to real property.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 77, by committee on code revision, a bill for an act to amend, revise, and codify sections sixty-three hundred fifty-five (6355) to sixty-three hundred ninety-seven (6397), inclusive, and sixty-four hundred (6400) to sixty-four hundred four (6404), inclusive, of the compiled code of Iowa, relating to conveyances.

Read first and second time and referred to committee on land titles.

Senate File No. 78, by committee on code revision, a bill for an act to amend, revise and codify chapter three (3) of title twenty-three (23) of the compiled code of Iowa relating to occupying claimants.

Read first and second time and referred to committee on land titles.

Senate File No. 79, by committee on code revision, a bill for an act to amend, revise and codify chapter four (4) of title twenty-three (23) of the compiled code of Iowa, relating to homestead.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 80, by committee on code revision, a bill for an act to amend, revise and codify chapter five (5) of title twenty-three (23) of the compiled code of Iowa, relating to landlord and tenant.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 81, by committee on code revision, a bill for an act to amend, revise and codify sections sixty-four hundred fifty-two (6452), sixty-four hundred fifty-three (6453) and sixty-four hundred fifty-four (6454) of the compiled code of Iowa, relating to perpetuities, gifts and bequests.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 82, by committee on code revision, a bill for an act to amend, revise, and codify chapter twelve (12) of title twenty-three (23) of the compiled code of Iowa, and sections sixty-four hundred ninety-two (6492) and sixty-five hundred one (6501) of the supplement to said code, relating to trustees to manage cemetery funds.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 83, by committee on code revision, a bill for an act to amend, revise and codify sections sixty-five hundred sixty-one (6561) and sixty-three hundred ninety-nine (6399) of the compiled code of Iowa, relating to legalizing deeds and other instruments.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 84, by committee on code revision, a bill for an act to amend, revise, and codify title nine (9) of the compiled code of Iowa and of the supplement to said code, relating to charitable, correctional, and penal institutions, and the juvenile court.

Read first and second time and referred to committee on board of control.

Senate File No. 85, by committee on code revision, a bill for an act to amend, revise, and codify chapter one (1) of title ten (10) and sections twenty-two hundred seventy-one (2271), twenty-two hundred seventy-three (2273), twenty-five hundred seventy-three (2573), twenty-five hundred seventy-five (2575) and twenty-six hundred twenty-eight (2628) of the compiled code of Iowa, and sections twenty-two hundred seventy-four-a one (2274-a1) and twenty-two hundred seventy-four-a two (2274-a2) of the supplement to said code, relating to education.

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

Senate File No. 86, by committee on code revision, a bill for an act to amend, revise, and codify sections twenty-two hundred sixty-five (2265) to twenty-two hundred seventy (2270), inclusive, section twenty-two hundred seventy-two (2272) and sections twenty-two hundred seventy-four (2274) to twenty-two hundred seventy-six (2276), inclusive, of the compiled code of Iowa, and section twenty-two hundred seventy-seven (2277) of the supplement to said code, relating to education.

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

Senate File No. 87, by committee on code revision, a bill for an act to amend, revise, and codify chapter three (3) of title ten (10) of the compiled code of Iowa, and section twenty-two hundred ninety-one (2291) of the supplement to said code, relating to education.

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

Senate File No. 88, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand two hundred ninety-six (2296) to two thousand three hundred three (2303), inclusive, two thousand three hundred five (2305), two thousand three hundred seven (2307), two thousand three hundred eight (2308), two thousand four hundred eighty-one (2481) to two thousand four hundred eighty-three (2483), inclusive, two thousand four hundred eighty-five (2485) to two thousand four hundred eighty-eight (2488), inclusive, two thousand four hundred ninety-two (2492) to two thousand four hundred ninety-nine (2499), inclusive, of the compiled code of Iowa, and sections two thousand two hundred ninety-five (2295), two thousand three hundred four (2304) and two thousand three hundred six (2306) of the supplement to said code, relating to education.

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

Senate File No. 89, by committee on code revision, a bill for an act to amend, revise and codify sections two thousand three hundred thirteen (2313) and two thousand three hundred fifteen (2315) of the compiled code of Iowa, relating to education.

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

Senate File No. 90, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand three hundred eighteen (2318) to two thousand three hundred twenty-six (2326), inclusive, two thousand three hundred twenty-nine (2329) to two thousand three hundred forty-four (2344), inclusive, two thousand three hundred forty-seven (2347), two thousand three hundred ninety-eight (2398) to two thousand four hundred fourteen (2414), inclusive, two thousand four hundred thirty-two (2432), two thousand four hundred thirty-six (2436), two thousand four hundred thirty-seven (2437), two thousand four hundred forty (2440) and two thousand four hundred forty-four (2444) of the compiled code of Iowa, and sections two thousand three hundred twenty-seven (2327) and two thousand three hundred twenty-eight (2328) of the supplement to said code, relating to education.

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

Senate File No. 91, by committee on code revision, a bill for an act to amend, revise and codify sections two thousand three hundred forty-five (2345), two thousand three hundred forty-six (2346), two thousand three hundred fifty-two (2352), two thousand three hundred fifty-three (2353) of the compiled code of Iowa, and section two thousand three hundred fifty-four (2354) of the supplement to said code, relating to the state university and the work of the bacteriological laboratory therein.

Read first and second time and referred to committee on educational institutions.

Senate File No. 92, by committee on code revision, a bill for an act to amend, revise and codify chapters nine (9) and ten (10) of title ten (10) of the compiled code of Iowa, and section two thousand three hundred forty-eight-a one (2348-a1) of the supplement to said code, relating to medical and surgical treatment of indigent persons.

Read first and second time and referred to committee on educational institutions.

Senate File No. 93, by committee on code revision, a bill for an

act to amend, revise and codify sections two thousand three hundred ninety-six (2396), two thousand three hundred ninety-seven (2397), and two thousand four hundred fifteen (2415) of the compiled code of Iowa, relating to the Iowa State College of Agriculture and Mechanic Arts.

Read first and second time and referred to committee on educational institutions.

Senate File No. 94, by committee on code revision, a bill for an act to amend, revise and codify sections two thousand four hundred thirty-one (2431), two thousand four hundred thirty-three (2433), two thousand four hundred thirty-four (2434) and two thousand four hundred thirty-five (2435) of the compiled code of Iowa, relating to the Iowa State Teachers College.

Read first and second time and referred to committee on educational institutions.

Senate File No. 95, by committee on code revision, a bill for an act to amend, revise and codify sections two thousand four hundred thirty-eight (2438) and two thousand four hundred thirty-nine (2439) of the compiled code of Iowa, relating to the school for the blind.

Read first and second time and referred to committee on educational institutions.

Senate File No. 96, by committee on code revision, a bill for an act to amend, revise and codify sections two thousand four hundred forty-one (2441) to two thousand four hundred forty-three (2443), inclusive, of the compiled code of Iowa, relating to the school for the deaf.

Read first and second time and referred to committee on educational institutions.

Senate File No. 97, by committee on code revision, a bill for an act to amend, revise and codify sections two thousand four hundred forty-seven (2447) to two thousand four hundred fifty-six (2456), inclusive, and two thousand four hundred fifty-eight (2458) of the compiled code of Iowa, and section two thousand four hundred fifty-seven (2457) of the supplement to said code, relating to education.

Read first and second time and referred to committee on educational institutions.

Senate File No. 98, by committee on code revision, a bill for an act to amend, revise and codify chapter sixteen (16) of title ten (10) of the compiled code of Iowa, relating to education.

Read first and second time and referred to committee on educational institutions.

Senate File No. 99, by committee on code revision, a bill for an act to amend, revise and codify sections two thousand four hundred seventy-eight (2478) to two thousand four hundred eighty (2480), inclusive, two thousand four hundred eighty-four (2484), two thousand four hundred eighty-nine (2489), two thousand four hundred ninety (2490), and two thousand five hundred (2500) to two thousand five hundred five (2505), inclusive, of the compiled code of Iowa, relating to education.

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

Senate File No. 100, by committee on code revision, a bill for an act to amend, revise and codify sections twenty-five hundred eight (2508), twenty-five hundred nine (2509), twenty-five hundred fifteen (2515) to twenty-five hundred seventeen (2517), inclusive, and twenty-five hundred twenty-six (2526) to twenty-five hundred thirty-four (2534), inclusive, of the compiled code of Iowa, and sections twenty-five hundred twenty-four-a one (2524-a1) to twenty-five hundred twenty-four-a forty (2524-a40), inclusive, and twenty-five hundred twenty-five (2525) of the supplement to said code, relating to education.

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

Senate File No. 101, by committee on code revision, a bill for an act to amend, revise and codify sections two thousand five hundred thirty-six (2536), two thousand five hundred thirty-seven (2537), two thousand five hundred forty-two (2542) to two thousand five hundred forty-five (2545), inclusive, two thousand five hundred forty-eight (2548) to two thousand five hundred fifty-three (2553), inclusive, two thousand five hundred fifty-seven (2557), two thousand five hundred fifty-nine (2559), two thousand five hundred sixty (2560), and two thousand five hundred sixty-seven (2567) of the compiled code of Iowa, and section two thousand five hundred seventy-eight (2578) of the supplement to said code, relating to education.

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

Senate File No. 102, by committee on code revision, a bill for an act to amend, revise and codify sections two thousand five hundred eighty-one (2581) and two thousand five hundred eighty-two (2582) of the compiled code of Iowa, relating to education.

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

Senate File No. 103, by committee on code revision, a bill for an act to amend, revise and codify section two thousand five hundred ninety-one (2591) of the compiled code of Iowa, relating to education.

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

Senate File No. 104, committee on code revision, a bill for an act to amend, revise and codify sections two thousand five hundred ninety-seven (2597) to two thousand five hundred ninety-nine (2599), inclusive, and two thousand six hundred one (2601) of the compiled code of Iowa, relating to education.

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

Senate File No. 105, by committee on code revision, a bill for an act to amend, revise and codify sections two thousand six hundred six (2606) to two thousand six hundred eight (2608), inclusive, of the compiled code of Iowa, relating to education.

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

Senate File No. 106, by committee on code revision, for a bill for an act to amend, revise and codify sections two thousand six hundred eleven (2611), two thousand six hundred twelve (2612) and two thousand six hundred fifteen (2615) of the compiled code of Iowa, relating to education.

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

Senate File No. 107, by committee on code revision, a bill for an act to amend, revise and codify sections two thousand six hundred nineteen (2619), two thousand six hundred twenty-one

(2621), and two thousand six hundred twenty-five (2625), of the compiled code of Iowa, relating to education.

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

Senate File No. 108, by committee on code revision, a bill for an act to amend, revise and codify sections two thousand six hundred thirty-five (2635) to two thousand six hundred thirty-eight (2638), inclusive, of the compiled code of Iowa, relating to education.

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

Senate File No. 109, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand six hundred thirty-nine (2639), two thousand six hundred forty-one (2641) to two thousand six hundred forty-three (2643), inclusive, and two thousand six hundred forty-six (2646) to two thousand six hundred forty-eight (2648), inclusive, of the compiled code of Iowa, and section two thousand six hundred forty (2640) of the supplement to said code, relating to education.

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

Senate File No. 110, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand six hundred fifty-three (2653), two thousand six hundred fifty-eight (2658), and two thousand six hundred sixty (2660) of the compiled code of Iowa, and section two thousand six hundred fifty (2650) of the supplement to said code, relating to education.

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

Senate File No. 111, by committee on code revision, a bill for an act to amend, revise and codify sections two thousand six hundred sixty-three (2663) to two thousand six hundred eighty (2680), inclusive, of the compiled code of Iowa, relating to education.

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

Senate File No. 112, by committee on code revision, a bill for an act to amend, revise and codify section two thousand six hundred ninety-nine (2699) of the compiled code of Iowa, relating to education.

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

Senate File No. 113, by committee on code revision, a bill for an act to amend, revise and codify sections two thousand seven hundred

sixteen (2716) and two thousand seven hundred twenty-five (2725) of the compiled code of Iowa, relating to education.

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

Senate File No. 114, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand seven hundred twenty-eight (2728) to two thousand seven hundred thirty-nine (2739), inclusive, two thousand seven hundred forty-six (2746), two thousand seven hundred forty-seven (2747), two thousand seven hundred forty-nine (2749) to two thousand seven hundred fifty-three (2753), inclusive, two thousand seven hundred fifty-six (2756) to two thousand seven hundred sixty-four (2764), inclusive, two thousand seven hundred sixty-seven (2767), and two thousand seven hundred sixty-eight (2768) of the compiled code of Iowa, and section two thousand seven hundred forty-eight (2748) of the supplement to said code, relating to education.

Read first and second time and referred to committee on public libraries.

Senate File No. 115, by committee on code revision, a bill for an act to amend, revise and codify chapter thirty-seven (37) of title ten (10) of the compiled code of Iowa, and sections two thousand seven hundred eighty-one-a-1 (2781-a-1) and sections two thousand seven hundred eighty-one-a two (2781-a2) of the supplement to said code, relating to education.

Read first and second time and referred to committee on public libraries.

Senate File No. 116, by committee on code revision, a bill for an act to amend, revise and codify sections two thousand seven hundred eight-eight (2788) to two thousand seven hundred ninety-three (2793), inclusive, of the compiled code of Iowa, relating to education and the Iowa geological survey.

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

Senate File No. 117, by committee on code revision, a bill for an act to amend, revise and codify sections twenty-seven hundred ninety-nine (2799), twenty-eight hundred sixteen (2816), twenty-eight hundred twenty-six (2826) to twenty-eight hundred thirty-four (2834), inclusive, of the compiled code of Iowa, relating to the establishment, vacation, and alteration of highways and to the erection and maintenance of bridges.

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

Senate File No. 118, by committee on code revision, a bill for an act to amend, revise and codify chapter two (2) of title eleven (11) of the compiled code of Iowa, relating to the drainage of highways.

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

Senate File No. 119, by committee on code revision, a bill for an act to amend, revise and codify chapter three (3) of title eleven (11) of the compiled code of Iowa, relating to the state highway commission and other officers charged with duties relating to highways.

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

Senate File No. 120, by committee on code revision, a bill for an act to amend, revise and codify chapter four (4) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to state road districts, and the improvement and maintenance thereof.

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

Senate File No. 121, by committee on code revision, a bill for and act to amend, revise and codify chapter five (5) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to the county road, bridge and culvert system, and taxation therefor.

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

Senate File No. 122, by committee on code revision, a bill for an act to amend, revise and codify chapter eight (8) of title eleven (11) of the compiled code of Iowa, relating to the patrolling of public highways.

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

Senate File No. 123, by committee on code revision, a bill for an act to amend, revise and codify chapter nine (9) of title eleven (11) and section twenty-nine hundred sixty-two (2962)

of the compiled code of Iowa, relating to the township road system, the repair and improvement of the same, and the duties of the officers having jurisdiction thereover.

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

No. 124 withdrawn by code commission.

Senate File No. 125, by committee on code revision, a bill for an act to amend, revise and codify chapter eleven (11) of title eleven (11) of the compiled code of Iowa, and of the supplement to said code, relating to the destruction of weeds on private lands and public highways.

Read first and second time and referred to commission on highways.

Senate File No. 126, by committee on code revision, a bill for an act to amend, revise and codify chapter thirteen (13) of title eleven (11) of the compiled code of Iowa, relating to the removal of obstructions from public highways.

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

Senate File No. 127, by committee on code revision, a bill for an act to amend, revise and codify chapter fourteen (14) of title eleven (11) of the compiled code of Iowa, relating to road improvement associations.

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

Senate File No. 128, by committee on code revision, a bill for an act to amend, revise and codify sections three thousand thirty-five (3035) to three thousand thirty-seven (3037), inclusive, three thousand forty (3040), and three thousand forty-two (3042) to three thousand forty-four (3044), inclusive, of the compiled code of Iowa, relating to the use of public highways.

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

Senate File No. 129, by committee on code revision, a bill for an act to amend, revise and codify sections thirty-one hundred fifteen (3115), thirty-one hundred twenty-four (3124), seven hundred thirteen (713) and thirty-one hundred twenty-seven (3127) of the compiled code of Iowa, relating to boards of supervisors.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 130, by committee on code revision, a bill for an act to amend, revise and codify sections thirty-one hundred thirty-one (3131) and thirty-one hundred thirty-six (3136) of the compiled code of Iowa, and section thirty-one hundred thirty (3130) of the supplement to said code, relating to the powers and duties of boards of supervisors.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 131, by committee on code revision, a bill for an act to amend, revise and codify sections thirty-one hundred forty-six (3146), thirty-one hundred forty-seven (3147) and thirty-one hundred fifty-eight (3158) of the compiled code of Iowa, relating to the county auditor.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 132, by committee on code revision, a bill for an act to amend, revise and codify sections thirty-one hundred seventy-three (3173) and thirty-one hundred seventy-four (3174) of the compiled code of Iowa, relating to the county treasurer.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 133, by committee on code revision, a bill for an act to amend, revise and codify sections thirty-one hundred eighty (3180) and thirty-one hundred eighty-six (3186) of the compiled code of Iowa relating to county recorders.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 134, by committee on code revision, a bill for an act to amend, revise and codify sections thirty-one hundred eighty-nine (3189), thirty-one hundred ninety (3190), thirty-one hundred ninety-two (3192), and thirty-one hundred ninety-three (3193) of the compiled code of Iowa, relating to county attorneys.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 135, by committee on code revision, a bill for

an act to amend, revise and codify sections thirty-two hundred five (3205) and thirty-two hundred six (3206) of the compiled code of Iowa, relating to the sheriff.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 136, by committee on code revision, a bill for an act to amend, revise and codify sections thirty-two hundred nineteen (3219) to thirty-two hundred twenty-one (3221), inclusive, thirty-two hundred twenty-five (3225), thirty-two hundred twenty-six (3226), and thirty-two hundred twenty-eight (3228) of the compiled code of Iowa relating to the coroner.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 137, by committee on code revision, a bill for an act to amend, revise and codify sections thirty-one hundred sixty-one (3161), thirty-one hundred sixty-three (3163), thirty-one hundred seventy-seven (3177), thirty-one hundred seventy-nine (3179), thirty-one hundred ninety-one (3191), thirty-one hundred ninety-four (3194), thirty-two hundred eight (3208), thirty-two hundred ten (3210), thirty-two hundred thirty-one (3231), sixty-nine hundred eighty-six (6986) and sixty-nine hundred eighty-seven (6987) of the compiled code of Iowa, and sections twenty-five hundred six (2506), thirty-one hundred sixty-two (3162), thirty-one hundred sixty-four (3164), thirty-one hundred seventy-six (3176), thirty-one hundred seventy-eight (3178), thirty-one hundred seventy-eight-a one (3178-a1), thirty-one hundred eighty-seven (3187), thirty-one hundred eighty-eight (3188), thirty-two hundred nine (3209), thirty-two hundred eleven (3211), sixty-nine hundred eighty-three (6983) and sixty-nine hundred eighty-five (6985) of the supplement to said code, relating to compensation of county officers, appointment and compensation of their deputies and the collection and accounting of fees.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 138, by committee on code revision, a bill for an act to amend, revise and codify chapter ten (10) of title twelve (12) of the compiled code of Iowa, relating to the submission of questions to voters.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 139, by committee on code revision, a bill for an act to amend, revise and codify chapter eleven (11) of title twelve (12) of the compiled code of Iowa, relating to county bonds.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 140, by committee on code revision, a bill for an act to amend, revise and codify sections thirty-two hundred seventy-eight (3278), thirty-two hundred seventy-nine (3279), thirty-two hundred eighty-three (3283), thirty-two hundred eighty-seven (3287), thirty-two hundred eighty-nine (3289) and thirty-two hundred ninety-three (3293) of the compiled code of Iowa, relating to the support of the poor.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 141, by committee on code revision, a bill for an act to amend, revise and codify sections thirty-three hundred two (3302) and thirty-three hundred four (3304) of the compiled code of Iowa, relating to county homes.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 142, by committee on code revision, a bill for an act to amend, revise and codify chapter fourteen (14) of title twelve (12) of the compiled code of Iowa, and sections thirty-three hundred eighteen (3318), thirty-three hundred twenty-seven-a one (3327-a1) and thirty-three hundred twenty-seven-a two (3327-a2) of the supplement to said code, relating to county public hospitals and detention hospitals for contagious diseases.

Read first and second time and referred to committee on public health.

Senate File No. 143, by committee on code revision, a bill for an act to amend, revise and codify chapter fifteen (15) of title twelve (12) of the compiled code of Iowa, relating to county aid for the blind.

Read first and second time and referred to committee on public health.

Senate File No. 144, by committee on code revision, a bill for an act to amend, revise and codify sections thirty-three hundred forty-two (3342) to thirty-three hundred forty-seven (3347), inclusive, of the compiled code of Iowa, relating to the relief for soldiers, sailors and marines.

Read first and second time and referred to committee on military affairs.

Senate File No. 145, by committee on code revision, a bill for an act to amend, revise and codify chapter seventeen (17) of title twelve (12) of the compiled code of Iowa, relating to official newspapers.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 146, by committee on code revision, a bill for an act to amend, revise and codify chapter eighteen (18) of title twelve (12) of the compiled code of Iowa, relating to bounties on wild animals.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 147, by committee on code revision, a bill for an act to amend, revise and codify chapter nineteen (19) of title twelve (12) of the compiled code of Iowa, relating to the relocation of county seats.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 148, by committee on code revision, a bill for an act to amend, revise and codify chapter twenty (20) of title twelve (12) of the compiled code of Iowa, relating to changing names of villages.

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

Senate File No. 149, by committee on code revision, a bill for an act to amend, revise and codify sections thirty-three hundred eighty-five ((3385) and thirty-three hundred ninety-nine (3399) of the compiled code of Iowa, relating to land surveys.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 150, by committee on code revision, a bill for an act to amend, revise and codify sections thirty-four hundred one (3401) to thirty-four hundred eight (3408), inclusive, and sections thirty-four hundred eleven (3411), thirty-four hundred fourteen (3414), thirty-four hundred fifteen (3415), thirty-four hundred eighteen (3418), thirty-four hundred twenty (3420), and thirty-four hundred twenty-three (3423) of the compiled code of Iowa, relating to jails.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 151, by committee on code revision, a bill for an act to amend, revise, and codify sections thirty-four hundred twenty-four (3424) to thirty-four hundred thirty-five (3435), inclusive, thirty-four hundred forty (3440), thirty-four hundred forty-one (3441), thirty-four hundred forty-five (3445), thirty-four hundred forty-six (3446), thirty-four hundred forty-nine (3449), thirty-four hundred fifty (3450), thirty-four hundred fifty-three (3453), thirty-four hundred fifty-four (3454), thirty-four hundred fifty-eight (3458) and thirty-four hundred fifty-nine (3459) of the compiled code of Iowa, and section thirty-four hundred forty-five-a one (3445-a1) of the supplement to said code, relating to townships and township officers.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 152, by committee on code revision, a bill for an act to amend, revise and codify chapter twenty-four (24) of title twelve (12) of the compiled code of Iowa, relating to township halls.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 153, by committee on code revision, a bill for an act to amend, revise and codify sections three thousand four hundred seventy-one (3471) to three thousand four hundred seventy-three (3473), inclusive, three thousand four hundred seventy-nine (3479) to three thousand four hundred eighty-one (3481), inclusive, three thousand four hundred eighty-five (3485), three thousand four hundred eighty-eight (3488), three thousand four hundred ninety-seven (3497), three thousand five hundred four (3504), and three thousand five hundred nineteen (3519) of the compiled code of Iowa, relating to municipal corporations.

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

Senate File No. 154, by committee on code revision, a bill for an act to amend, revise and codify sections three thousand five hundred eight (3508), three thousand five hundred nine (3509), three thousand five hundred eleven (3511) to three thousand five hundred eighteen (3518), inclusive, three thousand five hundred twenty-one (3521), three thousand five hundred twenty-two (3522), three thousand five hundred thirty (3530) to three thousand five hundred thirty-three (3533), inclusive, three thousand five hundred thirty-five (3535), three thousand five hundred thirty-six (3536), three thousand five hundred forty-one (3541), three thousand five hundred fifty (3550), three thousand five hundred fifty-one (3551), three thousand five hundred fifty-three (3553), three thousand five hundred fifty-four (3554), three thousand six hundred forty (3640), and three thousand seven hundred sixty-six (3766) of the compiled code of Iowa, relating to municipal corporations.

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

Senate File No. 155, by committee on code revision, a bill for an act to amend, revise and codify chapter five (5) of title thirteen (13), and section forty-two hundred thirty-two (4232) of the compiled code of Iowa, and sections forty-two hundred ninety-seven-a one (4297-a1) to forty-two hundred ninety-seven-a nineteen (4297-a19), inclusive, of the supplement to said code, relating to municipal corporations.

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

Senate File No. 156, by committee on code revision, a bill for an act to amend, revise and codify sections three thousand five hundred seventy-five (3575), three thousand five hundred seventy-seven (3577), and three thousand five hundred seventy-eight (3578) of the compiled code of Iowa, and section three thousand five hundred eighty (3580) of the supplement to said code, relating to municipal corporations.

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

Senate File No. 157, by committee on code revision, a bill for an act to amend, revise and codify sections three thousand five hun-

dred eighty-four (3584) and three thousand five hundred eighty-seven (3587) of the compiled code of Iowa, relating to municipal corporations.

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

Senate File No. 158, by committee on code revision, a bill for an act to amend, revise and codify sections three thousand five hundred ninety-two (3592) to three thousand five hundred ninety-four (3594), inclusive, three thousand five hundred ninety-nine (3599) to three thousand six hundred two (3602), inclusive, three thousand six hundred five (3605) to three thousand six hundred twelve (3612), inclusive, three thousand six hundred twenty (3620), three thousand six hundred twenty-two (3622), three thousand six hundred twenty-three (3623), three thousand six hundred twenty-five (3625), three thousand six hundred twenty-six (3626), three thousand six hundred forty-two (3642) to three thousand six hundred forty-four (3644), inclusive, three thousand six hundred forty-seven (3647) to three thousand six hundred fifty-two (3652), inclusive, three thousand six hundred fifty-six (3656), three thousand six hundred fifty-nine (3659), and three thousand six hundred sixty-one (3661) to three thousand six hundred sixty-three (3663), inclusive, of the compiled code of Iowa, and section three thousand six hundred sixty (3660) of the supplement to said code, relating to municipal corporations.

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

Senate File No. 159, by committee on code revision, a bill for an act to amend, revise and codify sections three thousand six hundred sixty-seven (3667), three thousand six hundred eighty-five (3685), and three thousand six hundred eighty-six (3686), of the compiled code of Iowa, relating to municipal corporations.

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

Senate File No. 160, by committee on code revision, a bill for an act to amend, revise and codify sections three thousand six hundred eighty-seven (3687), three thousand seven hundred (3700) and three thousand seven hundred three (3703) of the compiled code of Iowa, relating to municipal corporations.

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

Senate File No. 161, by committee on code revision, a bill for an act to amend, revise and codify sections three thousand seven hundred seven (3707) and three thousand seven hundred eight (3708) of the compiled code of Iowa, relating to municipal corporations.

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

Senate File No. 162, by committee on code revision, a bill for an act to amend, revise and codify section three thousand seven hundred thirty (3730) of the compiled code of Iowa, relating to municipal corporations.

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

Senate File No. 163, by committee on code revision, a bill for an act to amend, revise and codify sections three thousand seven hundred thirty-four (3734), three thousand seven hundred thirty-eight (3738) and three thousand seven hundred thirty-nine (3739) of the compiled code of Iowa, relating to juvenile playgrounds.

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

Senate File No. 164, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand seven hundred forty-five (3745) to three thousand seven hundred forty-eight (3748), inclusive, of the compiled code of Iowa, and section three thousand seven hundred forty (3740) of the supplement to said code, relating to municipal corporations.

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

Senate File No. 165, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand four hundred forty-three (3443) and three thousand seven hundred forty-nine (3749) of the compiled code of Iowa, and sections three thousand seven hundred fifty-two (3752) and three thousand seven hundred sixty (3760) of the supplement to said code, relating to municipal corporations.

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

Senate File No. 166, by committee on code revision, a bill for act to amend, revise and codify section three thousand seven hundred seventy-seven (3777) of the compiled code of Iowa, relating to municipal corporations.

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

Senate File No. 167, by committee on code revision, a bill for an act to amend, revise and codify sections three thousand seven hundred seventy-nine (3779) to three thousand seven hundred eighty-one (3781), inclusive, of the compiled code of Iowa, relating to municipal corporations.

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

Senate File No. 168, by committee on code revision, a bill for an act to amend, revise, codify sections three thousand eight hundred eleven (3811), three thousand eight hundred twenty-five (3825), three thousand eight hundred thirty-six (3836), three thousand eight hundred forty (3840) to three thousand eight hundred forty-three (3843), inclusive, three thousand eight hundred forty-five (3845), and three thousand eight hundred forty-six (3846) of the compiled code of Iowa, and section three thousand eight hundred eight (3808) of the supplement to said code, relating to municipal corporations.

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

Senate File No. 169, by committee on code revision, a bill for an act to amend, revise and codify sections three thousand eight hundred thirty-five (3835), three thousand eight hundred forty-four (3844), three thousand eight hundred fifty (3850) to three thousand eight hundred sixty (3860), inclusive, three thousand eight hundred seventy-three (3873) to three thousand eight hundred seventy-seven (3877), inclusive, three thousand eight hundred seventy-nine (3879) to three thousand eight hundred eighty-eight (3888), inclusive, three thousand eight hundred ninety (3890) to three thousand eight hundred ninety-six (3896), inclusive, three thousand eight hundred ninety-eight (3898) to three thousand nine hundred four (3904), inclusive, three thousand nine hundred six (3906), three thousand nine hundred seven (3907), three thousand nine hundred ten (3910), three thousand

nine hundred eleven (3911), three thousand nine hundred sixteen (3916), three thousand nine hundred twenty (3920) to three thousand nine hundred twenty-five (3925), inclusive, three thousand nine hundred twenty-seven (3927), and three thousand nine hundred twenty-eight (3928) of the compiled code of Iowa, and sections three thousand eight hundred forty-nine (3849), three thousand eight hundred seventy-eight (3878), three thousand eight hundred eighty-seven-a one (3887-a1), three thousand eight hundred eighty-nine (3889), three thousand nine hundred twelve (3912) to three thousand nine hundred fifteen (3915), inclusive, three thousand nine hundred seventeen (3917) to three thousand nine hundred nineteen (3919), inclusive, three thousand nine hundred twenty-two-a one (3922-a1) to three thousand nine hundred twenty-two-a five (3922-a5), inclusive, and three thousand nine hundred twenty-six (3926) of the supplement to said code, relating to municipal corporations.

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

Senate File No. 170, by committee on code revision, a bill for an act to amend, revise and codify sections three thousand eight hundred sixty-one (3861) to three thousand eight hundred seventy-two (3872), inclusive, three thousand nine hundred thirty-seven (3937), three thousand nine hundred thirty-eight (3938), three thousand nine hundred forty-four (3944), three thousand nine hundred fifty (3950), three thousand nine hundred fifty-three (3953), and three thousand nine hundred fifty-four (3954) of the compiled code of Iowa, relating to municipal corporations.

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

Senate File No. 171, by committee on code revision, a bill for an act to amend, revise and codify sections three thousand nine hundred fifty-five (3955), three thousand nine hundred fifty-six (3956), three thousand nine hundred sixty-four (3964) and three thousand nine hundred sixty-five (3965) of the compiled code of Iowa, and section three thousand nine hundred fifty-seven (3957) of the supplement to said code, relating to municipal corporations.

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

Senate File No. 172, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand nine hundred sixty-six (3966) to three thousand nine hundred sixty-nine (3969), inclusive, three thousand nine hundred seventy-two (3972), three thousand nine hundred seventy-six (3976), three thousand nine hundred seventy-seven (3977), and four thousand six (4006) of the compiled code of Iowa, relating to municipal corporations.

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

Senate File No. 173, by committee on code revision, a bill for an act to amend, revise and codify sections three thousand nine hundred eighty-seven (3987) and three thousand nine hundred ninety (3990) to three thousand nine hundred ninety-two (3992) inclusive, of the compiled code of Iowa, and sections three thousand nine hundred eighty-two (3982) and three thousand nine hundred eighty-eight (3988) of the supplement to said code, relating to municipal corporations.

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

Senate File No. 174, by committee on code revision, a bill for and act to amend, revise and codify sections three thousand nine hundred ninety-five (3995), four thousand (4000) and four thousand one (4001) of the compiled code of Iowa, relating to municipal corporations.

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

Senate File No. 175, by committee on code revision, a bill for an act to amend, revise and codify sections four thousand twelve (4012) to four thousand twenty-two (4022), inclusive, of the compiled code of Iowa, relating to municipal corporations.

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

Senate File No. 176, by committee on code revision, an act for an act to amend, revise, and codify sections four thousand twenty-three (4023), four thousand twenty-four (4024), four thousand twenty-seven (4027), four thousand nine hundred sixty-nine (4969), four thousand nine hundred seventy (4970), three thousand

seven hundred twenty-five (3725), three thousand seven hundred thirty-six (3736), three thousand seven hundred fifty-three (3753), three thousand seven hundred fifty-four (3754) and three thousand seven hundred seventy-five (3775) of the compiled code of Iowa, relating to municipal corporations.

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

Senate File No. 177, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand six hundred thirty (3630), three thousand six hundred thirty-one (3631), three thousand seven hundred twenty-six (3726), three thousand seven hundred thirty-three (3733), three thousand seven hundred thirty-seven (3737), three thousand seven hundred forty-one (3741), three thousand seven hundred fifty-nine (3759), three thousand eight hundred ninety-seven (3897), three thousand nine hundred five (3905), three thousand nine hundred nine (3909), three thousand nine hundred eighty-three (3983), four thousand nine (4009), four thousand thirty-one (4031) to four thousand thirty-four (4034), inclusive, four thousand thirty-seven (4037), four thousand thirty-nine (4039) to four thousand forty-one (4041), inclusive, and four thousand fifty-three (4053) of the compiled code of Iowa, and sections three thousand seven hundred fifty-eight (3758), four thousand thirty-eight (4038), and four thousand fifty-one (4051) of the supplement to said code, relating to municipal corporations.

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

Senate File No. 178, by committee on code revision, a bill for an act to amend, revise, and codify sections four thousand fifty-four (4054) to four thousand fifty-eight (4058), inclusive, three thousand six hundred thirty-eight (3638), three thousand seven hundred twenty-two (3722) to three thousand seven hundred twenty-four (3724), inclusive, three thousand seven hundred thirty-five (3735), three thousand seven hundred forty-two (3742) to three thousand seven hundred forty-four (3744), inclusive, three thousand seven hundred seventy-three (3773), three thousand seven hundred seventy-four (3774), and three thousand seven hundred seventy-eight (3778) of the compiled code of Iowa, and section four thousand fifty-nine (4059) of the supplement to said code, relating to municipal corporations.

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

Senate File No. 179, by committee on code revision, a bill for an act to amend, revise and codify sections three thousand six hundred thirty-three (3633), three thousand six hundred thirty-four (3634), three thousand nine hundred eight (3908), three thousand nine hundred fifty-one (3951), four thousand sixty-one (4061) to four thousand sixty-three (4063), inclusive, four thousand sixty-five (4065) to four thousand sixty-eight (4068), inclusive, of the compiled code of Iowa, and section four thousand sixty-five-a one (4065-a1) of the supplement to said code, relating to municipal corporations.

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

Senate File No. 180, by committee on code revision, a bill for an act to amend, revise and codify sections four thousand seventy-one (4071), four thousand seventy-two (4072) and four thousand seventy-three (4073) of the compiled code of Iowa, relating to municipal corporations.

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

Senate File No. 181, by committee on code revision, a bill for an act to amend, revise and codify sections four thousand eighty-nine (4089) to four thousand ninety-two (4092), inclusive, four thousand ninety-four (4094) to four thousand one hundred (4100), inclusive, and four thousand one hundred two (4102) to four thousand one hundred five (4105), inclusive, of the compiled code of Iowa, and sections four thousand ninety-three (4093) and four thousand one hundred one (4101) of the supplement to said code, relating to municipal corporations.

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

Senate File No. 182, by committee on code revision, a bill for an act to amend, revise, and codify sections four thousand two hundred ninety-nine (4299), four thousand three hundred six (4306), four thousand three hundred ten (4310), four thousand three hundred eighteen (4318), four thousand three hundred twenty (4320) to four thousand three hundred twenty-two (4322), inclusive, four thousand three hundred twenty-four (4324), four thousand three

hundred twenty-five (4325), four thousand three hundred twenty-seven (4327), four thousand three hundred twenty-eight (4328), four thousand three hundred thirty (4330), four thousand three hundred thirty-six (4336), four thousand three hundred forty-five (4345), four thousand three hundred forty-six (4346), four thousand three hundred forty-eight (4348) to four thousand three hundred fifty-seven (4357), inclusive, four thousand three hundred fifty-nine (4359) to four thousand three hundred sixty-seven (4367), inclusive, four thousand three hundred sixty-nine (4369), four thousand three hundred seventy-one (4371), four thousand three hundred seventy-nine (4379) to four thousand three hundred eighty-three (4383), inclusive, four thousand three hundred ninety-two (4392) to four thousand three hundred ninety-five (4395), inclusive, four thousand four hundred (4400) to four thousand four hundred four (4404), inclusive, four thousand four hundred six (4406) to four thousand four hundred ten (4410), inclusive, four thousand four hundred twelve (4412) to four thousand four hundred fourteen (4414), inclusive, four thousand four hundred seventeen (4417), four thousand four hundred forty (4440) to four thousand four hundred forty-four (4444), inclusive, four thousand four hundred sixty-seven (4467), and four thousand four hundred sixty-eight (4468) of the compiled code of Iowa, and sections four thousand three hundred twenty-three (4323), four thousand three hundred twenty-nine (4329), four thousand three hundred forty-seven (4347), four thousand three hundred fifty-eight (4358), and four thousand three hundred seventy-eight (4378) of the supplement to said code, relating to municipal corporations.

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

Senate File No. 183, by committee on code revision, a bill for an act to amend, revise, and codify sections four thousand four hundred eighty-three (4483) to four thousand four hundred eighty-seven (4487), inclusive, four thousand four hundred ninety-three (4493), four thousand four hundred ninety-nine (4499), four thousand five hundred (4500), four thousand five hundred eight (4508), four thousand five hundred nine (4509), four thousand five hundred ten (4510), four thousand five hundred eleven (4511), four thousand five hundred thirteen (4513), four thousand five hundred sixty-seven (4567), four thousand six hundred nine (4609), four thousand six hundred nineteen (4619), four thousand six hundred twenty (4620), and four thou-

sand six hundred ninety-three (4693) of the compiled code of Iowa, and section four thousand four hundred eighty-two (4482) of the supplement to said code, relating to taxation.

Read first and second time and referred to committee on ways and means.

No. 184, withdrawn by code commission.

Senate File No. 185, by committee on code revision, a bill for an act to amend, revise, and codify chapter one (1) of title fifteen (15) and sections forty-eight hundred thirty-six (4836) to forty-nine hundred fourteen (4914), inclusive, forty-nine hundred eighteen (4918) to forty-nine hundred thirty-five (4935), inclusive, of the compiled code of Iowa, and sections forty-eight hundred thirty-six-a one (4836-a1), **forty-eight hundred** thirty-seven (4837), forty-eight hundred forty-three (4843), forty-eight hundred forty-four (4844), forty-eight hundred fifty-one (4851), forty-eight hundred fifty-three (4853), forty-eight hundred fifty-eight (4858), forty-eight hundred fifty-eight-a one (4858-a1), forty-eight hundred seventy-five (4875), forty-eight hundred seventy-seven (4877), forty-eight hundred eighty (4880), forty-eight hundred eighty-a one (4880-a1), forty-eight hundred eighty-two (4882), forty-eight hundred eighty-six (4886), forty-eight hundred ninety (4890), forty-nine hundred twelve-a one (4912-a1) to forty-nine hundred twelve-a five (4912-a5), inclusive, of the supplement to said code, relating to levees, ditches, drains and watercourses.

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

Senate File No. 186, by committee on code revision, a bill for an act to amend, revise and codify chapters three (3) and four (4) of title fifteen (15) of the compiled code of Iowa, relating to mill dams, races and water power improvements.

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

Senate File No. 187, by committee on code revision, a bill for an act to amend, revise, and codify sections forty-nine hundred fifty-nine (4959) to forty-nine hundred sixty-one (4961), inclusive, forty-nine hundred sixty-three (4963) to forty-nine hundred sixty-five (4965), inclusive, forty-nine hundred sixty-seven (4967), forty-nine hundred sixty-eight (4968), forty-nine hundred seventy-one (4971) to forty-nine hundred seventy-five (4975), inclusive, forty-nine

hundred seventy-seven (4977) to forty-nine hundred eighty-one (4981), inclusive, forty-nine hundred eighty-three (4983), to fifty hundred one (5001), inclusive, fifty hundred eight (5008), and fifty hundred eleven (5011) of the compiled code of Iowa and sections forty-nine hundred fifty-nine-a one (4959-a1), forty-nine hundred sixty-eight-a one (4968-a1), and forty-nine hundred seventy-a one (4970-a1) of the supplement to said code, relating to the condemnation of private property for works of internal improvement and for other public uses and purposes.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 188, by committee on code revision, a bill for an act to amend, revise, and codify sections fifty hundred fourteen (5014) to fifty hundred sixteen (5016), inclusive, fifty hundred eighteen (5018), fifty hundred twenty-two (5022), fifty hundred twenty-four (5024) to fifty hundred twenty-six (5026), inclusive, fifty-one hundred eighty-six (5186), fifty-one hundred eighty-eight (5188) to fifty-one hundred ninety-two (5192), inclusive, fifty-two hundred four (5204) and fifty-two hundred six (5206) of the compiled code of Iowa, and section fifty hundred forty-four (5044) of the supplement to said code, relating to the board of railroad commissioners, their jurisdiction and duties.

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

Senate File No. 189, by committee on code revision, a bill for an act to amend, revise, and codify chapter two (2) of title sixteen (16) of the compiled code of Iowa, and section fifty hundred forty-seven (5047) of the supplement to said code, relating to commerce counsel.

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

Senate File No. 190, by committee on code revision, a bill for an act to amend, revise and codify sections forty-nine hundred eighty-two (4982), fifty hundred two (5002) to fifty hundred seven (5007), inclusive, fifty hundred twelve (5012), fifty hundred thirteen (5013), fifty hundred fifty-one (5051), fifty hundred fifty-two (5052), fifty hundred sixty-five (5065), fifty hundred seventy-two (5072), fifty hundred seventy-four (5074), fifty hundred seventy-five (5075), fifty hundred seventy-eight (5078), fifty hundred eighty (5080), fifty-one hundred one (5101)

to fifty-one hundred three (5103), inclusive, fifty-one hundred five (5105) to fifty-one hundred seven (5107), inclusive, fifty-one hundred seventy-one (5171), fifty-one hundred seventy-two (5172) of the compiled code of Iowa, and sections fifty hundred seventy-nine-a one (5079-a1) to fifty hundred seventy-nine-a four (5079-a4), inclusive, fifty-one hundred seventy-two-a one (5172-a1) to fifty-one hundred seventy-two-a four (5172-a4), inclusive, of the supplement to said code, relating to the construction and operation of railways.

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

Senate File No. 191, by committee on code revision, a bill for an act to amend, revise and codify sections thirty hundred thirty-nine (3039), fifty hundred twenty-seven (5072) to fifty hundred thirty-three (5033), inclusive, and fifty hundred thirty-seven (5037) to fifty hundred forty-three (5043), inclusive, of the compiled code of Iowa, and section thirty hundred thirty-eight (3038) of the supplement to said code, relating to electric and other wires crossing railroad tracks and to electric transmission lines and franchises.

Read first and second time and referred to committee on public utilities.

Senate File No. 192, by committee on code revision, a bill for an act to amend, revise and codify sections fifty-one hundred twenty-one (5121) to fifty-one hundred twenty-three (5123), inclusive, and fifty-one hundred thirty (5130) to fifty-one hundred thirty-eight (5138), inclusive, of the compiled code of Iowa, relating to taxes in aid of railways.

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

Senate File No. 193, by committee on code revision, a bill for and act to amend, revise and codify section fifty hundred seventy-three (5073) of the compiled code of Iowa, relating to cattle guards and highway crossing signs.

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

Senate File No. 194, by committee on code revision, a bill for an act to amend, revise and codify section fifty hundred ninety (5090) of the compiled code of Iowa, relating to liability for

negligence of employees and contracts of insurance relief, benefit or indemnity between railway corporations and their employees in case of injury or death.

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

Senate File No. 195, by committee on code revision, a bill for an act to amend, revise, and codify section fifty hundred ninety-two (5092) of the compiled code of Iowa, and sections fifty-two hundred forty-one (5241) and fifty-two hundred forty-one-a one (5241-a1) of the supplement to said code, relating to steam and interurban railway crossings at grade and the duty of employees.

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

Senate File No. 196, by committee on code revision, a bill for an act to amend, revise, and codify sections fifty-one hundred seventy-three (5173) and fifty-one hundred seventy-six (5176) of the compiled code of Iowa, and section fifty hundred nineteen (5019) of the supplement to said code, relating to regulation of carriers and definition of terms.

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

Senate File No. 197, by committee on code revision, a bill for an act to amend, revise and codify sections fifty-two hundred one (5201), fifty-two hundred five (5205), fifty-two hundred twenty (5220) to fifty-two hundred twenty-two (5222), inclusive, of the compiled code of Iowa, relating to regulation of carriers.

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

Senate File No. 198, by committee on code revision, a bill for an act to amend, revise and codify section fifty-one hundred seventy-nine (5179) of the compiled code of Iowa, relating to regulation of common carriers in respect to schedules of rates and charges.

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

No. 199 with drawn by code commission.

Senate File No. 200, by committee on code revision, a bill for an act to amend, revise and codify sections five thousand ten (5010), fifty-two hundred thirty-nine (5239), fifty-two hundred forty (5240), fifty-two hundred forty-two (5242), fifty-two hundred

forty-three (5243), fifty-two hundred forty-five (5245), fifty-two hundred forty-six (5246) and fifty-two hundred forty-nine (5249) of the compiled code of Iowa, relating to interurban railways.

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

Senate File No. 201, by committee on code revision, a bill for an act to amend, revise and codify sections five thousand three hundred forty-five (5345), five thousand four hundred twenty-one (5421), and five thousand four hundred forty-four (5444) of the compiled code of Iowa, relating to corporations for pecuniary profit.

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

Senate File No. 202, by committee on code revision, a bill for an act to amend, revise and codify sections fifty-three hundred seventy-seven (5377) and fifty-three hundred seventy-eight (5378) of the compiled code of Iowa, relating to corporate shares of stock.

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

Senate File No. 203, by committee on code revision, a bill for an act to amend, revise and codify sections five thousand three hundred ninety-eight (5398) and five thousand four hundred one (5401) of the compiled code of Iowa, relating to cooperative associations.

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

Senate File No. 204, by committee on code revision, a bill for an act to amend, revise and codify section fifty-eight hundred ninety-seven (5897) of the compiled code of Iowa, relating to the consideration of written contracts.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 205, by committee on code revision, a bill for an act to amend, revise, and codify section five thousand four hundred sixty-one (5461) of the compiled code of Iowa, and sections five thousand four hundred sixty (5460) and five thousand four hundred sixty-two (5462) of the supplement to said code, relating to the insurance department.

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

Senate File No. 206, by committee on code revision, a bill for an act to amend, revise, and codify section five thousand four hundred seventy-eight (5478) of the supplement to the compiled code of Iowa, relating to life insurance companies.

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

Senate File No. 207, by committee on code revision, a bill for an act to amend, revise, and codify sections five thousand six hundred five (5605), five thousand six hundred seventeen (5617), and five thousand six hundred eighteen (5618) of the compiled code of Iowa, and section five thousand four hundred ninety-six (5496) of the supplement to said code, relating to insurance other than life.

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

Senate File No. 208, by committee on code revision, a bill for an act to amend, revise, and codify sections five thousand seven hundred forty-one (5741), five thousand seven hundred forty-two (5742), five thousand seven hundred forty-nine (5749) and fifty-seven hundred fifty-two (5752) of the compiled code of Iowa, and section five thousand seven hundred forty-four (5744) of the supplement to said code, relating to the banking department.

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

No. 209, withdrawn by code commission.

Senate File No. 210, by committee on code revision, a bill for an act to amend, revise and codify sections sixty-two hundred five (6205) and sixty-two hundred six (6206) of the compiled code of Iowa, relating to unfair discrimination.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 211, by committee on code revision, a bill for an act to amend, revise and codify sections sixty-two hundred twenty-seven (6227) to sixty-two hundred twenty-nine (6229), inclusive, and sixty-two hundred thirty-four (6234) to sixty-two hundred thirty-six (6236), inclusive, of the compiled code of Iowa, relating to unlawful combinations, pools, and trusts in the business of buying, selling, handling, or transporting any com-

modity or articles of commerce and penalties for violation of said provisions.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 212, by committee on code revision, a bill for an act to amend, revise, and codify chapter seven (7) of title twenty-one (21) and chapters one (1) to six (6), inclusive, of title twenty-four (24) of the compiled code of Iowa and of the supplement to said code, relating to certain special liens.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 213, by committee on code revision, a bill for an act to amend, revise, and codify sections sixty-five hundred eighty-nine (6589), sixty-five hundred ninety (6590), sixty-five hundred ninety-six (6596) and sixty-six hundred (6600) of the compiled code of Iowa, and section eighty-six hundred eighteen (8618) of the supplement to said code, relating to marriages and incest.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 214, by committee on code revision, a bill for an act to amend, revise and codify section sixty-six hundred six (6606) of the compiled code of Iowa, relating to the conveyance of property of insane spouse.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 215, by committee on code revision, a bill for an act to amend, revise and codify section sixty-six hundred thirty (6630) of the compiled code of Iowa, relating to divorce and the remarriage of divorced persons.

Read first and second time and referred to committee on judiciary No. 1.

No. 216 withdrawn by code commission.

No. 217 withdrawn by code commission.

Senate File No. 218, by committee on code revision, a bill for an act to amend, revise and codify section sixty-six hundred eighty-six (6686) and chapter ten (10) of title twenty-six (26) of the com-

piled code of Iowa, relating to adoption, and master and apprentice.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 219, by committee on code revision, a bill for an act to amend, revise and codify section six thousand seven hundred twenty-nine (6729) of the compiled code of Iowa, relating to justice of the peace courts.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 220, by committee on code revision, a bill for an act to amend, revise, and codify sections six thousand eight hundred forty-one (6841) to six thousand eight hundred forty-three (6843), inclusive, six thousand eight hundred forty-five (6845) to six thousand eight hundred eighty-seven (6887), inclusive, six thousand eight hundred eighty-nine (6889), six thousand eight hundred ninety-one (6891) to six thousand eight hundred ninety-five (6895), inclusive, and six thousand nine hundred (6900) of the compiled code of Iowa, and sections six thousand eight hundred forty (6840), six thousand eight hundred forty-four (6844), six thousand eight hundred eighty-eight (6888), and six thousand eight hundred ninety (6890) of the supplement to said code, relating to municipal courts.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 221, by committee on code revision, a bill for an act to amend, revise and codify sections six thousand nine hundred eight (6908) and six thousand nine hundred eleven (6911) of the compiled code of Iowa, relating to superior courts.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 222, by committee on code revision, a bill for an act to amend, revise and codify sections six thousand nine hundred fifty-four (6954) and six thousand nine hundred fifty-five (6955) of the compiled code of Iowa, relating to district court.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 223, by committee on code revision, a bill for an act to amend, revise and codify section sixty-nine hundred sixty-seven (6967) of the compiled code of Iowa, relating to judges.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 224, by committee on code revision, a bill for an act to amend chapter four (4) of title twenty-eight (28) of the compiled code of Iowa, relating to judges and courts, and rules for conciliation of certain controversies.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 225, by committee on code revision, a bill for an act to amend, revise and codify sections six thousand nine hundred seventy-two (6972), six thousand nine hundred eighty (6980), and six thousand nine hundred eighty-two (6982) of the compiled code of Iowa, relating to the clerk of the district court.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 226, by committee on code revision, a bill for an act to amend, revise and codify section seven thousand eighty-five (7085) of the compiled code of Iowa, relating to parties to actions.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 227, by committee on code revision, a bill for an act to amend, revise and codify section seven thousand one hundred forty-eight (7148) of the compiled code of Iowa, relating to the place of bringing actions.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 228, by committee on code revision, a bill for an act to amend, revise and codify sections seven thousand one hundred sixty-three (7163), seven thousand one hundred seventy-one (7171) to seven thousand one hundred seventy-three (7173), inclusive, seven thousand one hundred eighty (7180), seven thousand one hundred eighty-one (7181), seven thousand one hundred eighty-three (7183) to seven thousand one hundred eighty-five (7185), inclusive, and seven thousand one hundred eighty-nine (7189), of the compiled code of Iowa, relating to the manner of commencing actions.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 229, by committee on code revision, a bill for an act to amend, revise and codify sections seven thousand two hundred three (7203), seven thousand two hundred eight (7208), seven thousand two hundred nine (7209), seven thousand two hundred twelve (7212), seven thousand two hundred eighteen (7218), and seven thousand two hundred twenty-two (7222) of the compiled code of Iowa, relating to pleadings.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 230, by committee on code revision, a bill for an act to amend, revise and codify sections seventy-three hundred sixty-two (7362), seventy-three hundred ninety-two (7392) to seventy-three hundred ninety-four (7394), inclusive, seventy-three hundred ninety-six (7396) and seventy-three hundred ninety-eight (7398) of the compiled code of Iowa, relating to evidence.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 231, by committee on code revision, a bill for an act to amend, revise and codify sections seven thousand four hundred forty-seven (7447), seven thousand four hundred fifty (7450), seven thousand four hundred fifty-one (7451), and seven thousand five hundred eighty-one (7581) of the compiled code of Iowa, relating to trial and judgment.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 232, by committee on code revision, a bill for an act to amend, revise and codify sections seven thousand five hundred (7500) to seven thousand five hundred five (7505), inclusive, of the compiled code of Iowa, relating to instructions.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 233, by committee on code revision, a bill for an act to amend, revise and codify section seven thousand six hundred fourteen (7614) of the compiled code of Iowa, relating to costs.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 234, by committee on code revision, a bill for an

act to amend, revise and codify section seventy-seven hundred fifty-nine (7759) of the compiled code of Iowa, relating to the examination of debtors in proceedings auxiliary to execution.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 235, by committee on code revision, a bill for an act to amend, revise and codify section seven thousand seven hundred seventy-eight (7778) of the compiled code of Iowa, relating to the probate court.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 236, by committee on code revision, a bill for an act to amend, revise and codify section seven thousand seven hundred eighty-seven (7787) of the compiled code of Iowa, relating to estates of decedent.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 237, by committee on code revision, a bill for an act to amend, revise, and codify sections seven thousand seven hundred ninety-one (7791), seven thousand eight hundred nine (7809), and seven thousand eight hundred thirty (7830) of the compiled code of Iowa, and sections seven thousand eight hundred thirty-two-a one (7832-a1) to seven thousand eight hundred thirty-two-a four (7832-a4), inclusive, of the supplement to said code, relating to wills and letters of administration.

Read first and second time and referred to committee on judiciary No. 1.

No. 238 withdrawn by code commission.

Senate File No. 239, by committee on code revision, a bill for an act to amend, revise and codify section seven thousand nine hundred ten (7910) of the compiled code of Iowa, relating to distribution of intestate property.

Read first and second time and referred to committee on judiciary No. 2.

No. 240 withdrawn by code commission.

Senate File No. 241, by committee on code revision, a bill for an act to amend, revise and codify sections eight thousand one hundred

sixty (8160), eight thousand one hundred sixty-one (8161), eight thousand one hundred sixty-six (8166), and eight thousand one hundred seventy-eight (8178) of the compiled code of Iowa, relating to foreclosure of mortgages.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 242, by committee on code revision, a bill for an act to amend, revise and codify section eight thousand one hundred eighty-five (8185) of the compiled code of Iowa, relating to nuisances.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 243, by committee on code revision, a bill for an act to amend, revise and codify sections eighty hundred eighty-seven (8087) and eighty hundred eighty-nine (8089) of the compiled code of Iowa, relating to forcible entry or detention of real property.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 244, by committee on code revision, a bill for an act to amend, revise and codify section eight thousand three hundred sixty-six (8366) of the compiled code of Iowa, relating to the paternity of illegitimate children.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 245, by committee on code revision, a bill for an act to amend, revise and codify sections eight thousand four hundred seventy-eight (8478) and eight thousand four hundred seventy-nine (8479) of the compiled code of Iowa, relating to the clerk of the supreme court.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 246, by committee on code revision, a bill for an act to amend, revise and codify sections eighty-four hundred eighty-six (8486), eighty-four hundred ninety (8490), eighty-four hundred ninety-one (8491), eighty-four hundred ninety-five (8495), eighty-four hundred ninety-six (8496), eighty-four hundred ninety-seven (8497), eighty-four hundred ninety-nine

(8499), eighty-five hundred (8500), eighty-five hundred two (8502), eighty-five hundred four (8504) and eighty-five hundred twenty-eight (8528) of the compiled code of Iowa, relating to procedure in the supreme court.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 247, by committee on code revision, a bill for an act to amend, revise and codify section eighty-five hundred eighty-two (8582) of the compile code of Iowa, relating to carrying dangerous weapons and permits therefor.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 248, by committee on code revision, a bill for an act to amend, revise and codify section eighty-six hundred forty-five (8645) of the compiled code of Iowa, relating to larceny and punishment therefor.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 249, by committee on code revision, a bill for an act to amend, revise and codify section eighty-eight hundred three (8803) of the compiled code of Iowa, relating to immoral and lascivious acts with or in the presence of children.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 250, by committee on code revision, a bill for an act to amend, revise and codify chapter one (1) of title thirty-four (34) of the compiled code of Iowa, relating to magistrates and peace officers.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 251, by committee on code revision, a bill for and act to amend, revise and codify sections ninety-one hundred eighty-six (9186) to ninety-one hundred eighty-nine (9189), inclusive, of the compiled code of Iowa, relating to the taking of security from witnesses in criminal cases.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 252, by committee on code revision, a bill for an act to amend, revise and codify section ninety-five hundred sixty-two (9562) of the compiled code of Iowa, relating to appeals in criminal cases.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 253, by committee on code revision, a bill for an act to amend, revise and codify section ninety-five hundred eighty-nine (9589) of the compiled code of Iowa, relating to the dismissal of criminal proceedings and the effect thereof.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 254, by committee on code revision, a bill for an act to amend, revise, and codify sections forty-nine hundred fifteen (4915) to forty-nine hundred seventeen (4917), inclusive, chapter seven (7) of title twenty-four (24), sections eighty-four hundred twenty-nine (8429) and eighty-four hundred thirty (8430) of the compiled code of Iowa, and sections eighty-four hundred twenty-seven (8427) and eighty-four hundred twenty-eight (8428) of the supplement to said code, relating to bonds for the performance of contracts for public improvements, and to the rights of persons who furnish labor or materials on such improvements.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 255, by committee on code revision, a bill for an act to amend, revise, and codify sections one hundred (100), one hundred one (101) and two hundred seventy-five (275) of the compiled code of Iowa, and sections two hundred forty-one-a thirty (241-a30), two hundred forty-one-a fifty-five (241-a55), two hundred forty-one-a sixty-two (241-a62), two hundred forty-one-a sixty-three (241-a63), two hundred forty-one-a sixty-four (241-a64), two hundred forty-one-a sixty-six (241-a66), two hundred forty-one-a seventy-four (241-a74) and two hundred forty-seven-a three (247-a3) of the supplement to said code, relating to reports of public officers.

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

• Senate File No. 256, by committee on code revision, a bill for an

act to amend, revise, and codify sections sixty-six hundred forty-five (6645) and sixty-six hundred seventy-one (6671) of the compiled code of Iowa, and sections sixty-six hundred fifty-two (6652), seventy-eight hundred forty-eight (7848), and seventy-eight hundred forty-eight-a one (7848-a1) of the supplement to said code, relating to the appointment and bonds of guardians, and to the sale or mortgage of the property of persons under guardianship, and of persons deceased.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 257, by committee on code revision, a bill for an act to amend, revise, and codify chapter seven-A (7-A) and chapter seven-B (7-B) of title five (5) of the supplement to the compiled code of Iowa, relating to cigarettes, cigarette papers, wrappers, and tubes and to the sale and advertisement of tobacco.

Read first and second time and referred to committee on ways and means.

Senate File No. 258, by committee on code revision, a bill for an act to amend, revise, and codify sections forty-two hundred nineteen (4219), forty-two hundred nineteen-a one (4219-a1), forty-two hundred nineteen-a two (4219-a2) and forty-two hundred twenty-four (4224) of the supplement to the compiled code of Iowa, relating to the nomination and election of officers, employees, and assistants in cities acting under the commission form of government.

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

Senate File No. 259, by committee on code revision, a bill for an act to amend, revise and codify sections six hundred eighty-four (684) to six hundred eighty-eight (688), inclusive, of the compiled code of Iowa, and sections six hundred ninety-three-a one (693-a1) to six hundred ninety-three-a five (693-a5), inclusive, and section one hundred two (102) of the supplement to said code, relating to the appointment, powers, and duties of commissioners in other states, and to the fees to be collected by the secretary of state.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 260, by committee on code revision, a bill for an act to amend, revise, and codify chapter thirteen (13) of title five (5), chapters two (2), three (3), four (4), and ten (10) of title

six (6), chapters five (5) and six (6) of title seven (7), and sections thirteen hundred thirty-five (1335) to thirteen hundred thirty-eight (1338), inclusive, thirteen hundred forty-six (1346) to thirteen hundred fifty-five (1355), inclusive, fourteen hundred forty-three (1443), thirty-four hundred forty-seven (3447), thirty-four hundred forty-eight (3448), forty-one hundred fourteen (4114), forty-two hundred ten (4210), forty-two hundred eleven (4211), and forty-two hundred thirteen (4213) of the compiled code of Iowa, and chapters one (1) and five (5) of title six (6) of the compiled code of Iowa and the supplement to said code, and chapter thirteen-A (13-A) of title five (5) and chapters four-A (4-A) and eleven (11) of title six (6) of the supplement to the compiled code of Iowa, relating to the public health.

Read first and second time and referred to committee on public health.

Senate File No. 261, by committee on code revision, a bill for an act to amend, revise, and codify chapter fifteen (15) of title six (6), chapters four (4), eight (8), nine (9), ten (10), eleven (11), and fourteen (14) of title seven (7) and sections fourteen hundred twenty-seven (1427) to fourteen hundred twenty-nine (1429), inclusive, and eighty-eight hundred fifty-two (8852) of the compiled code of Iowa, and chapter seven (7) of title five (5), chapters two (2), three (3), seven (7), twelve (12), and thirteen (13) of title seven (7) of the compiled code of Iowa and the supplement to said code, and chapter seven-A (7-A) of title seven (7) and sections fourteen hundred thirty (1430), fourteen hundred thirty-a-one (1430-a1), fourteen hundred thirty-one (1431), fourteen hundred thirty-two (1432), and fourteen hundred forty-two (1442) of the supplement to said code, relating to the regulation and inspection of foods, drugs, and other articles.

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

Senate File No. 262, by committee on code revision, a bill for an act to amend, revise and codify chapter twelve (12) of title six (6) and sections thirteen hundred twenty-seven (1327) to thirteen hundred twenty-nine (1329), inclusive, thirteen hundred thirty-two (1332) to thirteen hundred thirty-four (1334), inclusive, thirteen hundred thirty-nine (1339) to thirteen hundred forty-four (1344), inclusive, fourteen hundred twelve (1412), fourteen hundred thirteen (1413), fourteen hundred sixteen (1416) to fourteen hundred twenty-six (1426), inclusive, of the compiled code of Iowa, and

chapters six (6) and thirteen (13) of title six (6) of the compiled code of Iowa and the supplement to said code, and chapters six-A (6-A), ~~seven~~ (7), and seven-A (7-A) of title six (6), and sections thirteen hundred thirty (1330), thirteen hundred thirty-one (1331), thirteen hundred forty-five (1345), fourteen hundred fourteen (1414) and fourteen hundred fifteen (1415) of the supplement to the compiled code of Iowa, relating to the practice of certain professions affecting the public health.

Read first and second time and referred to committee on public health.

The Journal of January 18th was corrected and approved.

On motion of Senator Shaff the Senate adjourned until 10 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 20, 1923.

Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. W. Ernest Stockley, rector of Grace Church, of Lyons, Iowa.

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

PETITIONS AND MEMORIALS

The following petitions were presented:

By Senator Wichman from the rural mail carriers of Hancock county protesting against the proposed tax on gasoline.

Referred to committee on ways and means.

By Senator Adams from the committee on resolutions of Emmet County Farmers Union, referring to several bills.

Referred to the committee on agriculture.

Petitions from the Modern Woodmen of America protesting Richmond bill were presented: by Senator Hartman, Camp No. 230, Oelwein, Senator White from the Camp at Montour, Tama county, Senator Brookhart from Camp No. 1188, Geneva, Senator Holdoegel from Camp No. 3961, Dayton, Senator Campbell from Camp No. 1731, Meriden, and Senator Reed from Camp No. 215, Calmar.

All were referred to committee on insurance.

By Senator Brookins, from the Women's Club of Charles City, endorsing the Teachers' Annuity bill.

Referred to committee on schools.

By Senator Brookins, from the assessors of Floyd county protesting any change in assessment methods.

Referred to the committee on ways and means.

By Senator Gilchrist from the Dover township, Pocahontas County Farm Bureau, protesting any extension of bonding limitations on county taxing boards.

Referred to committee on county and township affairs.

Senator Perkins announced the receipt of a telegram announcing the death of Senator Stoddard's father and asked that a committee of three be appointed to draft suitable resolutions of condolence.

The president appointed as such committee Senators Perkins, Hartman and Abben.

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 providing for appointment of a joint committee to investigate and consider the advisability of establishing a state rural credit system and the Speaker appoints as such committee on the part of the House:

Representatives Diltz, Children, Wilson, Huff and Gallagher.

A. C. GUSTAFSON, *Chief Clerk.*

INTRODUCTION OF BILLS

Senate File No. 297, by Senator Cessna, a bill for an act to repeal section eleven (11), chapter two hundred eighty-seven (287), acts of the Thirty-eighth General Assembly (C. C. 1742), and to amend section one (1), chapter one hundred ninety-four (194), acts of the Thirty-ninth General Assembly (S. C. C. 1742-a1), relating to the quarantine and disposition of animals affected with tuberculosis.

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

Senate File No. 298, by Senator McIntosh, a bill for an act to amend sections ten hundred eighty-seven-a four (1087-a4), ten hundred eighty-seven-a nineteen (1087-a19), ten hundred eighty-seven-a twenty-two (1087-a22), and ten hundred eighty-seven-a twenty-four a (1087-a24a) of the supplement to the code, 1913 (C. C. sec. 366-380-384-387), relating to the time of holding the primary election.

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

Senate File No. 299, by Senator McIntosh, a bill for an act to amend sections ten hundred eighty-seven-a nineteen (1087-a19), ten hundred eighty-seven-a twenty-one (1087-a21), ten hundred eighty-seven-a twenty-two (1087-a22), ten hundred eighty-seven-a twenty-five (1087-a25), ten hundred eighty-seven-a twenty-six (1087-a26), and ten hundred eighty-seven-a twenty-seven (1087-a27) of the supplement to the code, 1913 (C. C. sec. 380-383-384-388-389-390), so as to repeal the provisions thereof requiring candidates for public

office to have thirty-five per centum of the votes cast before they can be nominated.

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

Senate File 300, by Senator Ethell, a bill for an act to amend the law as it appears in sections one (1) and two (2), chapter twenty (20), acts of the Thirty-ninth General Assembly (S. C. C. 2912 and S. C. C. 2914, respectively), relating to the construction, improvement and maintenance of highways, and providing for the use of the primary road fund in the elimination of improvement of railroad crossings, and in the construction of culverts and bridges on the primary road system.

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

Senate File No. 301, by Senator Snook, a bill for an act providing for an architect and an inspector for the state board of education, and for the letting of contracts by the board.

Read first and second time and referred to committee on educational institutions.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Olsen for the day on request of Senator Banta; Senator Bergman for the day on request of Senator Shaff; Senator Baird for the day, on request of Senator Horchem; Senator Scott for the day, on request of Senator Hartman; Senator Dutcher for the day, on request of Senator Tuck; Senator Kimberly for the day, on request of Senator Shaff; Senator Romkey for the day, on request of Senator Price; Senator Smith for the day, on request of Senator Price.

CONCURRENT RESOLUTION

Senator Newberry offered the following concurrent resolution.

Be It Resolved by the Senate, the House concurring, That the secretary of state be requested to furnish to each of the committee rooms, in use by either House, and the enrolling room and journal room of each House of the Fortieth General Assembly, one copy of the code of 1897, one copy of the supplement to the code, 1913, and supplemental supplement to the code, 1915, and index bound in one volume, one copy of the session laws of the Thirty-eighth General Assembly, and one copy of the session laws of the Thirty-ninth General Assembly, and three sets of the above named books for use of the representatives of the press in each House.

By unanimous consent the resolution was taken up and considered. Senator Newberry moved its adoption.

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

Ayes, 36			
Abben	Cessna	Horchem	Reed
Adams	Darting	Johnston	Rees
Banta	Ethell	McIntosh	Shane
Bowman	Gilchrist	Mantz	Shinn
Brookhart	Goodwin	Mead	Slosson
Brookins	Hale	Nelson	Snook
Buser	Hartman	Newberry	Thurston
Caldwell	Haskell	Perkins	Tuck
Campbell	Holdoegel	Price	Wichman
Nays, none.			
Absent or not voting, 14			
Baird	Dutcher	Romkey	Stoddard
Bergman	Fulton	Scott	White
Browne	Kimberly	Shaff	
Chase	Olson	Smith	

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

On motion of Senator McIntosh the Senate went into executive session.

Senate arose from executive session and resumed regular session.

The Journal of January 19 was corrected and approved.

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

AFTERNOON SESSION

Senate met pursuant to adjournment, President John Ham-mill presiding.

RESIGNATION OF COMMITTEE CLERK

The following resignation was received:

January 20, 1923.

To Lieutenant Governor John Hammill:

I hereby tender my resignation as committee clerk, to take effect as of this date.

Respectfully submitted,

KAY B. KEEFE.

The resignation was accepted.

APPOINTMENT OF FLOOR PAGE

The President appointed the following as messenger for the Senate: Meredith Williams, floor page.

RESOLUTION OF CONDOLENCE

Senator Perkins from the special committee offered the following report and moved its adoption:

Whereas, An All-Wise Providence has removed from earthly activities the beloved father of our respected Senator B. M. Stoddard.

Therefore, Be It Resolved, That the sincere sympathy of each member of this body is extended to our worthy colleague in his great bereavement, and,

Be It Further Resolved, That the secretary of the Senate is instructed to communicate this resolution by telegraph to Senator Stoddard.

GEO. B. PERKINS.

BEN C. ABBEN, JR.

GEO. S. HARTMAN.

The resolution was unanimously adopted.

ASSIGNMENT OF SEAT IN THE PRESS GALLERY

Donald R. Murphy of Wallace's Farmer was assigned Seat 60 in the press gallery.

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 providing for the appointment of a joint committee of two to attend the conference to be held at Sioux City, Wednesday, January 24th, relative to investigating methods of stabilizing the prices of agricultural products.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE RESOLUTION CONSIDERED

Senator Buser called up for consideration the following House resolution:

Be It Resolved by the House, the Senate concurring, That the Governor appoint a committee of two, one from the Senate and one from the House, to attend the Conference of 12 states to be held at Sioux City, Wednesday, January 24, 1923. The purpose of which Conference is to investigate the methods of ascertaining the cost of production, and methods of stabilizing the prices of agricultural products.

Be It Further Resolved, That the traveling expenses of the committee of two be paid out of the state fund not otherwise appropriated.

By unanimous consent the resolution was taken up and considered. Senator Buser moved its adoption.

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

Ayes, 35

Abben
Banta

Cessna
Darting

Holdoegel
Horchem

Shaff
Shane

Bowman	Ethell	Mantz	Shinn
Brookhart	Fulton	Mead	Slosson
Brookins	Gilchrist	Nelson	Snook
Browne	Goodwin	Newberry	Thurston
Buser	Hale	Perkins	Tuck
Caldwell	Hartman	Price	White
Campbell	Haskell	Reed	

Nays, none.

Absent or not voting, 15

Adams	Dutcher	Olson	Smith
Baird	Johnston	Rees	Stoddard
Bergman	Kimberly	Romkey	Wichman
Chase	McIntosh	Scott	

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

On request of Senator Reed the judiciary committee No. 1 was excused from the session to sit in committee.

Senator Ethel moved that a committee of three be appointed to escort Mr. Powell, of Ottumwa, to the desk.

The President appointed as such committee Senators Ethell, Newberry and Shane.

Mr. Powell briefly addressed the Senate.

INTRODUCTION OF BILLS

Senate File No. 302, by Senator Brookhart, a bill for an act to amend section two thousand fifty-six (2056) of the code (C. C. Sec. 5077), relating to double damages for loss occasioned by fires caused by the operation of a railway.

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

REPORT OF COMMITTEE

Senator Carl W. Reed, 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. 1, a bill for an act regarding the form of bills, 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 eight by striking out the word "the" found in line two between the words "as" and "official," and inserting in lieu thereof the word "an."

Amend by striking out sections nine, ten and eleven as unnecessary.

Amend by adding the following publication clause:

"Section 9: 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.

CARL W. REED, *Chairman*

THIRD READING OF BILLS

On motion of Senator Reed, Senate File No. 1, a bill for an act to amend, revise and codify sections forty-two (42) and forty-three (43) of the compiled code of Iowa, relating to the citation and form of bills for the amendment, revision, codification or repeal, of statutes, 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 eight by striking out the word "the" found in line two between the words "as" and "official," and inserting in lieu thereof the word "an."

Amend by striking out sections nine, ten and eleven as unnecessary.

Amend by adding the following publication clause:

"Section 9: 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."

The bill was read for information.

Senator Newberry moved that the motion by which the amendments were adopted be reconsidered. Motion lost.

Senator Reed moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30

Abben	Gilchrist	Mead	Shinn
Banta	Goodwin	Nelson	Slosson
Bowman	Hale	Newberry	Snook
Brookins	Hartman	Perkins	Tuck
Buser	Haskell	Price	White
Campbell	Holdoegel	Reed	Wichman
Darting	Horchem	Shaff	
Ethell	Mantz	Shane	

Nays, none.

Absent or not voting, 20.

Adams	Caldwell	Johnston	Romkey
Baird	Cessna	Kimberly	Scott
Bergman	Chase	McIntosh	Smith
Brookhart	Dutcher	Olson	Stoddard
Browne	Fulton	Rees	Thurston

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

On motion of Senator Price the Senate adjourned until 10 o'clock Monday.

JOURNAL OF THE SENATE

SENATE CHAMBERS,
DES MOINES, IOWA, JANUARY 22, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. W. C. Hengen, rector of Trinity Episcopal church, of Ottumwa, Iowa.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Darting for the day, on request of Senator Mead; Senator Romkey for the day, on request of Senator Price.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator White from assessors of Tama county, protesting the proposed change in assessment methods. Ways and means.

By Senator Campbell from citizens of the forty-sixth district asking a lowering of the age limit of persons allowed in public billiard halls. Judiciary No. 1.

Petitions from the Modern Woodmen of America protesting the Richmond bill were presented by: Senator Wichman from Camp No. 4905; Kanawha; by Senator Shinn from Camps 315, Denison, and 5560, Arion; by Senator Hartman from Camp 164, Fayette; by Senator Bergman from Camps 182, Newton, and 152, Prairie City. Insurance.

INTRODUCTION OF BILLS

Senate File No. 303, by Senator Snook, a bill for an act to amend section thirty (30) (C. C. 3075) of chapter two hundred seventy-five (275) acts of the Thirty-eighth General Assembly as amended by chapter one hundred fifty-four (154) acts of the Thirty-ninth

General Assembly, relating to the operation of motor vehicles upon the public highway.

Read first and second time and referred to committee on motor vehicles.

Senate File No. 304, by Senator Tuck, a bill for an act to amend chapter three hundred sixteen (316) of the acts of the Thirty-eighth General Assembly (C. C. secs. 3653, 3654, and 3655) relating to sanitary conditions in cities and towns and granting additional powers to cities and towns and boards of health.

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

Senate File No. 305, by Senator Tuck, a bill for an act repealing sections five thousand five hundred fifteen (5515) (C. C. sec. 9268), five thousand five hundred sixteen (5516) (C. C. sec. 9269), five thousand five hundred seventeen (5517) (C. C. sec. 9270) of the code of 1897, and section five thousand five hundred eighteen (5518) (C. C. sec. 9271), and five thousand five hundred nineteen (5519) (C. C. sec. 9272) of the supplement to the code, 1913, relating to forfeiture of bail, and to enact a substitute therefor.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 306, by Senator Buser, a bill for an act to amend section two thousand five hundred fifty-one (2551) of the supplemental supplement to the code, 1915, as amended by the acts of the Thirty-seventh General Assembly, (C. C. sec. 1124), so as to prohibit the shooting or killing of wild ducks and geese over or by the use of live decoys.

Read first and second time and referred to committee on fish and game.

Senate File No. 307, by Senator Buser, a bill for an act to amend section two thousand five hundred fifty-two (2552) of the supplemental supplement to the code, 1915, (C. C. sec. 1127), so as to reduce the number of wild ducks that any person may shoot or kill in one day to ten, and the number they may have in their possession to twenty-five (25).

Read first and second time and referred to committee on fish and game.

Senate File No. 308, by Senator Buser, a bill for an act to amend section one (1) of chapter two hundred thirty (230) of

the acts of the Thirty-ninth General Assembly, (C. C. sup. sec. 3922-a1), relating to the payment of cost of paving extensions of primary roads within cities and to extend the provisions thereof to include other cities.

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

ADOPTION OF REPORT ON CODE REVISION

Senator Dutcher called up for consideration the report offered by the committee on code revision found on page 215 of the Senate Journal of January 19th.

Senator Dutcher moved the adoption of the report.

On the question, "Shall the report be adopted?" the vote was:

Ayes, 40

Abben	Campbell	Holdoegel	Reed
Adams	Cessna	Horchem	Rees
Baird	Dutcher	Johnston	Shaff
Banta	Ethell	Kimberly	Shane
Bergman	Fulton	Mantz	Shinn
Bowman	Gilchrist	Mead	Slosson
Brookins	Goodwin	Nelson	Snook
Brokhart	Hale	Newberry	Tuck
Browne	Hartman	Perkins	White
Buser	Haskell	Price	Wichman

Nays, none

Absent or not voting, 10

Caldwell	McIntosh	Scott	Thurston
Chase	Olson	Smith	
Darting	Romkey	Stoddard	

The report was adopted.

HOUSE RESOLUTION CONSIDERED

Senator Goodwin called up the following House concurrent resolution, and moved its adoption:

Be It Resolved by the House, the Senate concurring, That the President of the Senate is hereby requested to appoint five Senators, and the Speaker of the House is hereby requested to appoint five Representatives, who shall constitute a joint committee of the House and Senate, for the purpose of investigating and considering the feasibility and the advisability of the establishment of a "state rural credit system," said committee to report their findings to both Houses, not later than February 1st, 1923.

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

Ayes, 39

Abben	Cessna	Horchem	Rees
Adams	Dutcher	Johnston	Shaff
Baird	Ethell	Kimberly	Shane
Banta	Fulton	Mantz	Shinn
Bergman	Gilchrist	Mead	Slosson
Bowman	Goodwin	Nelson	Snook
Brookins	Hale	Newberry	Tuck
Browne	Hartman	Perkins	White
Buser	Haskell	Price	Wichman
Campbell	Holdoegel	Reed	

Nays, 0**Absent or not voting, 11**

Brookhart	Darting	Romkey	Stoddard
Caldwell	McIntosh	Scott	Thurston
Chase	Olson	Smith	

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

The President appointed as members of such committee on part of the Senate, Senators Shinn (chairman), Campbell, Adams, Cessna, and Brookins.

On motion of Senator Holdoegel, the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call the Senate advised and confirmed the appointment of Mr. J. R. Murphy of Ida Grove, Ida county, as a member of the board of parole for the unexpired term ending July 1, 1923.

Senate arose from executive session and resumed regular session.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President John Hammill presiding.

The Journal of January 20th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Thurston for the day,

on request of Senator Slosson; Senator Haskell for the afternoon, on request of Senator Mead.

INTRODUCTION OF BILLS

Senate File No. 309, by Senator Buser, a bill for an act to repeal section one thousand four hundred fifty-nine (1459) of the code of 1897 (C. C. section 4769) relating to the collection, possession and remittances of moneys belonging to the state treasury by county treasurers and to enact a substitute therefor.

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 bills in which the concurrence of the Senate is asked:

House File No. 10, a bill for an act to amend, revise, and codify chapter six (6) of title two (2) of the compiled code of Iowa and of the supplement to said code, relating to the department of justice and the attorney general.

Also House File No. 48, a bill for an act to amend, revise and codify sections eight hundred sixty-four (864), eight hundred sixty-five (865), eight hundred sixty-eight (868) and eight hundred seventy-one (871) of the compiled code of Iowa, relating to boards of arbitration.

Also House File No. 271, a bill for an act to amend section two (2), chapter three hundred twelve (312) Acts of the Thirty-eighth General Assembly (C. C. 2675) relating to bonds for park purposes.

Also, the House has amended by substitute and adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate concurrent resolution relative to the action on appropriations bills for the Fortieth General Assembly.

HOUSE AMENDMENT

Amended by striking out all of the resolution after the word "Concurring" and substituting therefor the following:

That final action shall not be taken on any bills providing appropriations (except emergency appropriations, approved by the Executive Council.) until March 1, 1923.

Be It Further Resolved, That all bills carrying appropriations for state educational institutions and the institutions in charge of the Board of Control shall be introduced not later than February 15th, and that no bills carrying an appropriation for any purpose shall be introduced after March 1st, except by the Committee on Appropriations.

Also, the House has adopted the following resolution in which the concurrence of the House was asked:

Senate concurrent resolution fixing time from which employees of the General Assembly shall be paid.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 10, a bill for an act to amend, revise, and codify chapter six (6) of title two (2) of the compiled code of Iowa and of the supplement to said code, relating to the department of justice and the attorney general.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 48, a bill for an act to amend, revise and codify sections eighty hundred sixty-four (864), eight hundred sixty-five (865), eight hundred sixty-eight (868) and eight hundred seventy-one (871) of the compiled code of Iowa, relating to boards of arbitration.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 271, a bill for an act to amend section two (2), chapter three hundred twelve (312) acts of the Thirty-eighth (38) General Assembly, (C. C. 3675) relating to bonds for park purposes.

Read first and second time and referred to committee on judiciary No. 2.

SEAT ASSIGNED IN PRESS GALLERY

H. S. Jordan of the International News Service was assigned Seat No. 61.

On motion of Senator Mead the Senate adjourned until 10 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 23, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. E. W. Curtis, pastor of the United Brethren church of Chariton, Iowa.

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

PETITIONS AND MEMORIALS

The following petitions were presented and referred to proper committees:

By Senator Shinn, from Crawford County Teachers' Association endorsing various present school laws and proposed changes. Schools.

By Senator Campbell, from citizens of Ida county petitioning for amendments to bills No. 42, 92, 260, and 262. Public Health

INTRODUCTION OF BILLS

Senate File No. 310, by Senator Snook, a bill for an act to provide for a thresher's lien.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 311, by Senator White, a bill for an act to repeal sections four hundred and three (403) and four hundred and four (404) of the supplement to the code of 1913 (C. C. sections 3261-3262) relating to the funding or refunding of indebtedness in counties by the issuance of bonds.

Read first and second time and referred to committee on county and township affairs.

Senate File No. 312, by Senator Buser, a bill for an act to amend chapter 133, acts of the Thirty-ninth General Assembly (C. C. section 13210a3), by extending the time within which those actively

engaged in the practice of podiatry will be entitled to a license without an examination.

Read first and second time and referred to committee on public health.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports it has examined and finds correctly enrolled house joint resolution No. 1.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

REPORT OF COMMITTEE

Senator Brookhart, 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. 73, a bill for an act to amend, revise and codify sections twenty-eight (28), fifty-three hundred seventy-five (5375), sixty-two hundred thirty-eight (6238), and seventy-three hundred nineteen (7319) of the compiled code of Iowa, relating to the attendance of witnesses, and the compulsory giving of testimony and production of evidence, beg leave to report they have had the same under consideration and recommend the same do pass.

Ordered passed on file.

Also—

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 81, a bill for an act to amend, revise and codify sections sixty-four hundred fifty-two (6452), sixty-four hundred fifty-three (6453) and sixty-four hundred fifty-four (6454) of the compiled code of Iowa, relating to perpetuities, gifts and bequests, 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 the whole of the last line of section 8 of the bill and by inserting in lieu thereof the words "for which it was authorized".

Ordered passed on file.

Also—

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 83, a bill for an act to amend, revise and codify sections sixty-five hundred sixty-one (6561) and sixty-three hundred ninety-nine (6399) of the compiled code of Iowa, relating to legalizing deeds and

other instruments, beg leave to report they have had the same under consideration and recommend the same do pass.

Ordered passed on file.

J. L. BROOKHART, *Chairman*.

BILLS RE-REFERRED

The following bills were referred to the committee on departmental affairs: Senate Files, Nos. 7, 8, 14, 16, 17, 18, and 53.

The following bills were referred from judiciary No. 1 to judiciary No. 2: 187, 245, 211, 229, 231, 237, 241, 215, 221, 251, 247, 253.

The following bills were referred from judiciary No. 2 to judiciary No. 1: 236, 220, 246, 254, 252, 250, 212, 210.

THIRD READING OF BILLS

On motion of Senator Brookhart, Senate File No. 73, a bill for an act to amend, revise and codify sections twenty-eight (28), fifty-three hundred seventy-five (5375), sixty-two hundred thirty-eight (6238), and seventy-three hundred nineteen (7319) of the compiled code of Iowa, relating to the attendance of witnesses, and the compulsory giving of testimony and production of evidence, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Brookhart moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42

Abben	Cessna	McIntosh	Shane
Adams	Dutcher	Mantz	Shinn
Baird	Ethell	Mead	Slosson
Banta	Glchrist	Nelson	Smith
Bergman	Hale	Newberry	Snook
Bowman	Hartman	Olson	Stoddard
Brookhart	Haskell	Perkins	Tuck
Brookins	Holdoegel	Reed	White
Browne	Horchem	Rees	Wichman
Caldwell	Johnston	Scott	
Campbell	Kimberly	Shaff	

Nays, none.

Absent or not voting, 8

Buser	Darting	Goodwin	Romkey
Chase	Fulton	Price	Thurston

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

On motion of Senator Brookhart, Senate File No. 81, a bill for an act to amend, revise and codify sections sixty-four hundred fifty-two (6452), sixty-four hundred fifty-three (6453) and sixty-four hundred fifty-four (6454) of the compiled code of Iowa, relating to perpetuities, gifts and bequests, 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 last line of section 8 and inserting in lieu thereof the words "for which it was authorized".

The bill was read for information.

Senator Brookhart moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37

Abben	Fulton	McIntosh	Shane
Adams	Gilchrist	Mantz	Shinn
Baird	Goodwin	Nelson	Slosson
Bergman	Hale	Newberry	Smith
Bowman	Hartman	Perkins	Snook
Brookhart	Haskell	Reed	Stoddard
Brookins	Holdoegel	Rees	Tuck
Caldwell	Horchem	Scott	White
Dutcher	Kimberly	Shaff	Wichman

Nays, 1

Browne

Absent or not voting, 12

Banta	Chase	Johnston	Price
Buser	Darting	Mead	Romkey
Campbell	Ethell	Olson	Thurston
Cessna			

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

On motion of Senator Brookhart, Senate File No. 83, a bill for an act to amend, revise and codify sections sixty-five hundred sixty-one (6561) and sixty-three hundred ninety-nine (6399) of the compiled code of Iowa, relating to legalizing deeds and other instruments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wichman offered the following amendment and moved its adoption:

Amended by striking out the words and figures "eighteen hundred and eighty-five (1885)" in line four of section one and inserting the words and figures "nineteen hundred (1900)".

The amendment was adopted.

The bill was read for information.

Senator Brookhart moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39

Abben	Fulton	McIntosh	Shaff
Adams	Gilchrist	Mantz	Shane
Baird	Goodwin	Mead	Shinn
Bergman	Hale	Nelson	Slosson
Bowman	Hartman	Newberry	Snook
Brookhart	Haskell	Olson	Stoddard
Brookins	Holdoegel	Perkins	Tuck
Caldwell	Horcham	Reed	White
Dutcher	Johnston	Rees	Wichman
Ethell	Kimberly	Scott	

Nays, none.

Absent or not voting, 11

Banta	Campbell	Darting	Smith
Browne	Cessna	Price	Thurston
Buser	Chase	Romkey	

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

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following joint resolution No. 5 in which the concurrence of the Senate is asked:

Proposing to amend section four (4), article three (3), of the constitution of the state of Iowa, relating to the qualifications of members of the House of Representatives, and to provide for its reference and publication.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE MESSAGE CONSIDERED

Joint resolution proposing to amend section four (4), article three (3) of the constitution of the state of Iowa, relating to the qualifications of members of the House of Representatives, and to provide for its reference and publication.

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

Section 1. That the following amendment to the constitution of the state, be and the same is hereby proposed, viz:

Strike out the word "male" from Section four (4) of article three (3) of said constitution, relating to the legislative department.

Resolved further, That the foregoing proposed amendment to the constitution of the state of Iowa be and the same hereby is referred to the Legislature, to be chosen at the next general election for members of the General Assembly, and that the Secretary of State cause the same to be published once each week for three months previous to the day of such election, in two weekly newspapers of general circulation in each congressional district in the state.

Read first and second time and referred to committee on judiciary No. 2.

HOUSE AMENDMENTS CONSIDERED

Senator Ethell called up for consideration Senate concurrent resolution relative to appropriations, amended by the House and moved that the Senate concur in the following House amendments:

Amended by striking out all of the resolution after the word "Concurring" and substituting therefor the following:

That final action shall not be taken on any bills providing appropriations (except emergency appropriations, approved by the executive council.) until March 1, 1923.

Be It Further Resolved, That all bills carrying appropriations for state educational institutions and the institutions in charge of the Board of Control shall be introduced not later than February 15th, and that no bills carrying an appropriation for any purpose shall be introduced after March 1st, except by the committee on appropriations.

On the question "Shall the Senate concur in the House amendments?" the vote was:

Ayes, 34

Abben	Goodwin	Mead	Shane
Adams	Hale	Nelson	Shinn
Baird	Haskell	Newberry	Slosson
Bergman	Holdeoegel	Olson	Stoddard
Bowman	Horchem	Perkins	Tuck
Brookhart	Johnston	Reed	White
Brookins	Kimberly	Rees	Wichman
Ethell	McIntosh	Scott	
Gilchrist	Mantz	Shaff	

Nays, 2

Browne	Fulton
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Absent or not voting, 14

Banta	Cessna	Hartman	Snook
Buser	Chase	Price	Thurston
Caldwell	Darting	Romkey	
Campbell	Dutcher	Smith	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

AMENDMENT TO RULES

Senator Buser offered the following amendment to the rules:

Amend Rule 30 of the rules of the Senate by adding thereto the following: No code commission bill shall be acted upon by the Senate the same day it is reported upon by the committee to whom it was referred.

On motion of Senator Holdoegel the amendment was referred to committee on rules.

CORRECTION OF THE JOURNAL

The Journal of January 22d was corrected and approved.

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

AFTERNOON SESSION.

The Senate met pursuant to adjournment, President John Hammill presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Price for the day, on request of Senator Fulton.

REPORT ON COMMITTEE CLERKS

Senator Horchem presented the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to determine the qualifications of the applicants for clerks, beg to report that they have examined Cecelia V. Lynch and find her fully qualified in every respect and is available for appointment. Also that they have examined Mrs. Emma Malm and that she has passed satisfactory examination and been assigned to Senator Bowman.

B. J. HORCHEM, *Chairman.*

The report was adopted.

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and adopted the report of the joint committee on code revision.

A. C. GUSTAFSON, *Chief Clerk.*

REPORT OF COMMITTEE

Senator Bowman, from the committee on rules, submitted the following report:

MR. PRESIDENT: Your committee on rules to whom was referred the following amendment to Rule 30 of the rules of the Senate: "No code commission bill shall be acted upon by the Senate the same day it is reported upon by the committee to whom it was referred," beg leave to report they have had the same under consideration and recommend that the amendment be adopted.

M. L. BOWMAN, *Chairman*.

The report was adopted.

The rule was adopted.

Senator White moved that the Senate adjourn until 9 o'clock Wednesday.

Senator Stoddard moved to amend by making the hour 10 o'clock. Motion prevailed and the Senate adjourned until 10 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 24, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. A. E. Abben, pastor of the Presbyterian church of Le Claire, Iowa.

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

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Stoddard from the assessors of Woodbury county regarding an increase of compensation for town and township assessors. County and township affairs.

By Senator Mantz from the teachers of Crawford county endorsing a teachers' annuity system. Schools.

By Senator Stoddard from the teachers of Sioux City endorsing a teachers' annuity system. Schools.

By Senator Olson from Camp No. 7971 of the Modern Woodmen of America, Slater, protesting the Richmond bill. Insurance.

By Senator Browne from Camp No. 1026 of the Modern Woodmen of America, Miles, protesting the Richmond bill. Insurance.

By Senator Abben from Camp No. 3314 of the Modern Woodmen of America, Hull, protesting the Richmond bill. Insurance.

By Senator Shane from teachers of Ottumwa endorsing the teachers' annuity bill. Schools.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Banta for the day on request of Senator Abben; Senator Tuck for the day on request of Senator Holdoegel.

INTRODUCTION OF BILLS

Senate File No. 313, by Senator Campbell, a bill for an act to

amend section twenty-four hundred seventy-seven-m9 (2477-m9) of the supplement to the code, 1913 (C. C. 816), as amended by chapter two hundred seventy (270) acts of the Thirty-seventh General Assembly and chapter two hundred twenty (220) acts of the Thirty-eighth General Assembly, relating to employer's liability and workmen's compensation.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 314, by Senator Buser, a bill for an act to legalize the action of the boards of supervisors of Muscatine and Louisa counties relative to the assessments against state lands in Drainage District Number Thirteen (13), located in Muscatine and Louisa counties and to authorize the payment of said assessments with accrued interest.

Read first and second time and referred to committee on judiciary No. 2.

Senate File No. 315, by Senator Stoddard, a bill for an act to amend section two hundred twenty-seven (227) of the supplemental supplement to the code, 1915 (C. C. sec. 6937), relating to the number of district judges in each district, and providing that the number of judges in the fourth judicial district shall be four, and providing a method for filling the additional office created by this act, and for the election of a judge to fill the office hereby created, when the term of an appointee to fill such office shall expire as provided by law.

Read first and second time and referred to committee on judiciary No. 1.

Senate File No. 316, by Senator Dutcher, a bill for an act to make an emergency appropriation to complete the fireproofing and preservation of the old capitol at Iowa City, Iowa.

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

Senate File No. 317, by Senator Dutcher, a bill for an act to accept the provisions and the benefits of an act of congress, approved on the twenty-third day of November, nineteen hundred twenty-one, relating to appropriations to the several states for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes: to designate the state agency; to provide for the proper custody and administration of funds received by the state from such appropriations; and to make an appropriation therefor.

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

Senate File No. 318, by Senator Thurston, a bill for an act requiring steam and electric railways to erect and maintain crossings for public highways; also directing the railroad commission to determine the composition and surfacing of the same; and the time allotted for said construction.

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

Senate File No. 319, by Senator Buser, a bill for an act to amend the law as it appears in section one (1), chapter eighty-five (85), acts of the Thirty-eighth General Assembly, (C. C. sec. 4000) by extending the authority therein conferred to special charter cities of less than thirty-five thousand (35,000) population.

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

ELERICK MEMORIAL RESOLUTION

Senator Fulton presented the following resolution:

Whereas, the Honorable James Elerick of Hinckley, California, formerly of Van Buren county, Iowa, a member of the Senate in the Thirtieth, Thirty-first and Thirty-second General Assemblies, died at Monrovia, California, August 7, 1922, therefore,

Be it Resolved, That a committee of three be appointed to prepare a memorial to commemorate fittingly his service to this state and nation.

The resolution was adopted.

The President appointed as such committee Senators Fulton, Shane and Price.

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. 103, a bill for an act to amend, revise and codify section two thousand five hundred ninety-one (2591) of the compiled code of Iowa, relating to education, beg leave to report they have had the same under consideration and recommended the same do pass.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Senator Brookhart, 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. 271, a bill for an act to amend section two (2) chapter three hundred twelve (312) acts of the Thirty-eighth General Assembly (C. C. 3675), relating to bonds for park purposes, 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.

THIRD READING OF BILLS

By unanimous consent on motion of Senator Cessna House File No. 271, a bill for an act to amend section two (2), chapter three hundred twelve (312), acts of the Thirty-eighth (38) General Assembly, relating to bonds for park purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cessna moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 45

Abben	* Dutcher	Mantz	Shane
Adams	Ethel	Mead	Shinn
Baird	Fulton	Nelson	Slosson
Bergman	Gilchrist	Newberry	Smith
Bowman	Goodwin	Olson	Snook
Brookhart	Hale	Perkins	Stoddard
Brookins	Hartman	Price	Thurston
Browne	Holdegel	Reed	White
Buser	Horchem	Rees	Wichman
Caldwell	Johnston	Romkey	
Campbell	Kimberly	Scott	
Cessna	McIntosh	Shaff	

Nays, none

Absent or not voting, 5.

Banta	Chase	Darting	Haskell
			Tuck

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

SENATE FILE NO. 278 WITHDRAWN

By unanimous consent, Senator Buser withdrew Senate File No. 278 from further consideration.

CORRECTION OF JOURNAL

The Journal of January 23d was corrected and approved.

On motion of Senator Holdoegel the Senate adjourned until 4 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President John Hammill presiding.

The Secretary called the roll to ascertain if there was a quorum present. Those present were:

Abben	Ethell	Nelson	Shinn
Bowman	Gilchrist	Olson	Slosson
Brookhart	Hale	Perkins	Snook
Browne	Hartman	Reed	Stoddard
Buser	Horchem	Rees	Thurston
Campbell	Johnston	Scott	Wichman
Cessna	McIntosh	Shaff	
Darting	Mantz	Shane	

The President declared a quorum present.

INTRODUCTION OF BILLS

Senate File No. 320, by Senator Snook, a bill for an act to repeal section twenty-four hundred seventy-seven-m (2477-m), supplement to the code 1913, as amended by chapter four hundred eighteen (418), acts of the Thirty-seventh General Assembly, (C. C. sec. 807), relating to employers liability and workmen's compensation, and to enact a substitute therefor.

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

Senate File No. 321, by Senator McIntosh, a bill for an act to amend section nineteen eighty-nine-a eighteen (1989-a18), supplement to the code, 1913, as amended by chapter two hundred six (206), acts Thirty-ninth (39th) General Assembly, relative to drainage.

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

REPORTS OF COMMITTEE

Senator Carl W. Reed, 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. 11, a bill for an act to amend, revise and codify chapter seven (7) of title two (2) of the compiled code of Iowa, and sections one hundred sixty-nine (169) and one hundred seventy five (175) of the supplement to said code, relating to the reporter of the supreme court and editor of the code, the preparation, printing, and distribution of the reports of the supreme court and of annotations to the code, and making 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 by striking out the letters and figures "nineteen hundred twenty-three (1923)" in line two (2) of section one (1) of said bill and insert in lieu thereof the following "nineteen hundred twenty-seven (1927)".

Amend by striking out the words "acting through the chief justice" in the second and third line of section five of said bill.

Amend by striking out the words "acting through the chief justice" in line one of section seven of said bill.

Amend by striking out the number "20" in line sixteen of section nine of said bill and insert in lieu thereof number "50".

Amend by inserting after the word "may" in line one of section sixteen of said bill "by and with the consent of the supreme court."

Amend by inserting after the word "help" in line two of section sixteen of said bill the words "at such compensation as may be fixed by the supreme court."

Amend by striking out the word "chapter" in line six of section sixteen and insert in lieu thereof the word "section".

Amend by striking out from sub-section one in section twelve line one the word "in the form of bills".

Amend by inserting at the end of said bill the following section seventeen: "Sec. 17. The present incumbent shall hold office until the expiration of the time for which he was appointed and until his successor has been appointed and qualified."

Ordered passed on file.

Also

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 59, a bill for an act to amend, revise and codify chapter twenty-one (21) of title five (5), of the compiled code of Iowa, relating to certified shorthand reporters, beg leave to report they have had the same under consideration and recommend the same do pass.

Ordered passed on file.

Also

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 219, a bill for an act to amend, revise and codify section six thousand seven hundred twenty-nine (6729) of the compiled code of Iowa, relating to justice of the peace courts, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

The report was adopted and the bill indefinitely postponed.

Also

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 223, a bill for an act to amend, revise and codify section sixty-nine hundred sixty-seven (6967) of the compiled code of Iowa, relating to judges, beg leave to report they have had the same under consideration and recommend the same do pass.

Ordered passed on file.

Also

MR. PRESIDENT: Your committee on Judiciary No. 1 to whom was referred Senate File No. 227, a bill for an act to amend, revise and codify section seven thousand one hundred forty-eight (7148) of the compiled code of Iowa, relating to the place of bringing actions, 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 "thereof" in line five (5) of said bill and by substituting in lieu thereof, the word "thereon".

Ordered passed on file.

Also

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 249, a bill for an act to amend, revise and codify section eighty-eight hundred three (8803) of the compiled code of Iowa, relating to immoral and lascivious acts with or in the presence of children, beg leave to report they have had the same under consideration and recommend the same do pass.

CARL W. REED, *Chairman.*

Ordered passed on file.

On motion of Senator Shinn the Senate adjourned until 10 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 25, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by J. J. Bushnell, superintendent northwest Iowa conference, Algona, Iowa.

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

PETITIONS AND MEMORIALS

Senator Stoddard presented a petition from the Sioux City Woman's club endorsing the teachers' annuity bill. Referred to committee on schools.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Tuck for the day on request of Senator Holdoegel; Senator Adams for the day on request of Senator Thurston.

INTRODUCTION OF BILLS

Senate File No. 322, by Senator Bergman, a bill for an act to amend section sixteen hundred ninety-six (1696) of the code 1897 (C. C. 5618), relating to the election of directors of insurance companies other than life insurance companies.

Read first and second times and referred to committee on insurance.

Senate File No. 323, by Senator Abben, a bill for an act to amend section six (6) of chapter two hundred ninety-three (293), acts Thirty-eighth (38th) General Assembly as amended by lines one (1) to six (6) inclusive of section one (1) of chapter seventy-four (74), acts Thirty-ninth (39th) General Assembly, (S. C. C. 3162, 3176, 3187, 3209, 6983) and to amend section six (6) of chapter two hundred seventy-eight (278), acts Thirty-eighth (38th) General Assembly, as amended by section one (1) of chapter ninety-

seven (97) acts Thirty-ninth (39th) General Assembly, (S. C. C. 3164, 3178, 3188, 3211, 6985) relating to the salaries of county and deputy county officers.

Read first and second times 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 adopted the following concurrent resolution in which the concurrence of the House was asked:

Concurrent resolution relative to furnishing a copy of the laws for each of the committee rooms, and the enrolling and Journal rooms.

Also, 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 appropriate funds for the expenses of the Bonus Board of the State of Iowa, and providing for a refund of said appropriation upon the sale of Soldiers' Bonus Bonds, as provided by Chapter 332 of the Acts of the Thirty-ninth General Assembly.

Also, that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Concurrent resolution memorializing Congress relative to amendment of the interstate commerce act equalizing distribution of freight cars.

A. C. GUSTAFSON, *Chief Clerk*.

THIRD READING OF BILLS

On motion of Senator Reed Senate File No. 249, a bill for an act to amend, revise and codify section eighty-eight hundred three (8803) of the compiled code of Iowa, relating to immoral and lascivious acts with or in the presence of children, 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 reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41

Abben	Darting	Horchem	Romkey
Baird	Dutcher	Johnston	Scott
Banta	Ethell	Kimberly	Shaff
Bergman	Fulton	McIntosh	Shane
Brookhart	Gilchrist	Nelson	Shinn
Brookins	Goodwin	Newberry	Slosson
Browne	Hale	Olson	Snook
Buser	Hartman	Perkins	Stoddard
Campbell	Haskell	Reed	Thurston
Cessna	Holdoegel	Rees	White
			Wichman

Nays, none

Absent or not voting, 9

Adams	Chase	Mead	Smith
Bowman	Mantz	Price	Tuck
Caldwell			

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

On motion of Senator Reed Senate File No. 227, a bill for an act to amend, revise and codify section seven thousand one hundred forty-eight (7148) of the compiled code of Iowa, relating to the place of bringing actions, 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 "thereof" in line five (5) of said bill and by substituting in lieu thereof, the word "thereon."

The bill was read for information.

Senator Reed moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Baird	Cessna	Horchem	Rees
Banta	Darting	Johnston	Scott
Abben	Ethell	Kimberly	Shaff
Bergman	Fulton	McIntosh	Shane
Bowman	Gilchrist	Mantz	Shinn
Brookhart	Goodwin	Nelson	Slosson
Brookins	Hale	Newberry	Snook
Browne	Hartman	Olson	Stoddard
Buser	Haskell	Perkins	Thurston
Campbell	Holdoegel	Reed	Wichman

Nays, none.

Absent or not voting, 9.

Adams	Chase	Mead	Smith
Caldwell	Dutcher	Price	Tuck
			White

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

HOUSE MESSAGE CONSIDERED

House File No. 314, a bill for an act to appropriate funds for the expenses of the Bonus Board of the state of Iowa, and providing for a refund of said appropriation upon the sale of Soldiers' Bonus Bonds, as provided by chapter 332 of the acts of the Thirty-ninth General Assembly.

Read first and second time.

THIRD READING OF BILLS

By unanimous consent on motion of Senator Stoddard House File No. 314, a bill for an act to appropriate funds for the expenses of the Bonus Board of the state of Iowa, and providing for a refund of said appropriation upon the sale of Soldiers' Bonus Bonds, as provided by chapter 332 of the acts of the Thirty-ninth General Assembly, was taken up and considered.

On motion of Senator Stoddard the rule was suspended whereby no bill may be read second and third times the same day also the rule requiring reference to a committee. The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Kimberly	Romkey	McIntosh	Scott
Abben	Cessna	Mantz	Shaff
Baird	Darting	Mead	Shane
Banta	Ethell	Nelson	Shinn
Bergman	Gilchrist	Newberry	Slosson
Bowman	Goodwin	Olson	Snook
Brookhart	Hale	Perkins	Stoddard
Brookins	Hartman	Price	Thurston
Browne	Haskell	Reed	White
Buser	Holdoegel	Rees	Wichman
Campbell	Johnston		

Nays, none.

Absent or not voting, 8.

Adams	Chase	Fulton	Smith
Caldwell	Dutcher	Horchem	Tuck

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

On motion of Senator Reed Senate File No. 59, a bill for an act to amend, revise and codify chapter twenty-one (21) of title five (5), of the compiled code of Iowa, relating to certified shorthand reporters, 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 reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36

Abben	Cessna	Johnston	Reed
Baird	Dutcher	Kimberly	Scott
Banta	Gilchrist	McIntosh	Shaff
Bergman	Goodwin	Mantz	Shane
Bowman	Hale	Mead	Slosson
Brookins	Hartman	Nelson	Snook
Browne	Haskell	Newberry	Stoddard
Buser	Holdoegel	Olson	White
Campbell	Horchem	Perkins	Wichman

Nays, 2

Price Shinn

Absent or not voting, 12

Adams	Chase	Fulton	Smith
Brookhart	Darting	Rees	Thurston
Caldwell	Ethell	Romkey	Tuck

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

On motion of Senator Reed, Senate File No. 223, a bill for an act to amend, revise and codify section sixty-nine hundred sixty-seven (6967) of the compiled code of Iowa, relating to judges, 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 reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41

Abben	Cessna	Haskell	Nelson
Baird	Darting	Holdoegel	Newberry
Banta	Dutcher	Horchem	Olson
Bowman	Ethell	Johnston	Perkins
Brookhart	Fulton	Kimberly	Price
Brookins	Gilchrist	McIntosh	Reed
Buser	Hale	Mantz	Rees
Campbell	Hartman	Mead	Romkey

Scott Shaff	Shane Slosson	Snook Stoddard	Thurston White Wichman
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Nays, none

Absent or not voting, 9

Adams	Browne	Chase	Shinn
Bergman	Caldwell	Goodwin	Smith Tuck

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

On motion of Senator Newberry, Senate File No. 103, a bill for an act to amend, revise and codify section two thousand five hundred ninety-one (2591) of the compiled code of Iowa, relating to education, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by striking out the words "hereinafter provided" at the end of section 2 and inserting in lieu thereof the words "provided by law."

The amendment was lost.

The bill was read for information.

Senator Newberry moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 28

Abben	Dutcher	Horchem	Shaff
Baird	Gilchrist	McIntosh	Shane
Banta	Goodwin	Mantz	Slosson
Bergman	Hale	Newberry	Snook
Bowman	Hartman	Perkins	Stoddard
Brookins	Haskell	Reed	White
Campbell	Holdoegel	Scott	Wichman

Nays, 13

Brookhart	Cessna	Kimberly	Price
Browne	Darting	Mead	Rees
Buser	Ethell	Nelson	Romkey Shinn

Absent or not voting, 9

Adams	Chase	Johnston	Smith
Caldwell	Fulton	Olson	Thurston Tuck

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

On motion of Senator Reed, Senate File No. 11, a bill for an act to amend, revise and codify chapter seven (7) of title two (2) of the compiled code of Iowa, and sections one hundred sixty-nine

(169) and one hundred seventy-five (175) of the supplement to said code, relating to the reporter of the supreme court and editor of the code, the preparation, printing, and distribution of the reports of the supreme court and of annotations to the code, and making an appropriation therefor, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out the letters and figures "nineteen hundred twenty-three (1923)" in line two (2) of section one (1) of said bill and insert in lieu thereof the following "nineteen hundred twenty-seven (1927)".

Amend by striking out the words "acting through the chief justice" in the second and third line of section five of said bill.

Amend by striking out the words "acting through the chief justice" in line one of section seven of said bill.

Amend by striking out the number "20" in line sixteen of section nine of said bill and insert in lieu thereof number "50".

Amend by inserting after the word "may" in line one of section sixteen of said bill "by and with the consent of the supreme court."

Amend by inserting after the word "help" in line two of section sixteen of said bill the words "at such compensation as may be fixed by the supreme court."

Amend by striking out the word "chapter" in line six of section sixteen and insert in lieu thereof the word "section".

Amend by striking out from sub-section one in section twelve, line one the words "in the form of bills".

Amend by inserting at the end of said bill the following section seventeen: "Sec. 17. The present incumbent shall hold office until the expiration of the time for which he was appointed and until his successor has been appointed and qualified."

Senator Dutcher offered the following amendment and moved its adoption.

I move to amend section five by striking out the following words, commencing in line three thereof: "said judges or a majority thereof", and inserting in lieu thereof the word "they".

The amendment was adopted.

The bill was read for information.

On motion of Senator Newberry consideration of this bill was deferred.

Senator Price moved that no bills be considered until they appear on the calendar. Carried.

The Journal of January 24th was corrected and approved.

On motion of Senator Price the Senate adjourned until 10 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 26, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. C. H. Van Metre, pastor of the Methodist Church, of Odebolt, Iowa.

On motion of Senator Price, rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Slosson from citizens of McIntire, Mitchell county, relative to compulsory medical bills. Public health.

By Senator Slosson from citizens of St. Ansgar, Mitchell county, relative to medical treatment under the Workmans' Compensation Act. Public health.

By Senator Wichman from the Parent-Teachers association of Clear Lake, endorsing the Teachers Annuity bill. Schools.

By Senator Cessna from citizens of Sigourney protesting against the proposed gasoline tax. Ways and means.

Resolutions by Modern Woodman of America protesting the Richmond bill were presented by Senator Adams, from Camp No. 1, Lyons; by Senator Baird, from Camp No. 2846, Oakland; by Senator Ethell, from Camp No. 497, Bloomfield; by Senator Nelson, from Camp No. 3499, Portsmouth. All were referred to the committee on insurance.

Senator Tuck moved that a committee be appointed to escort ex-Senator Arthur to the desk. Carried.

The president appointed as such committee Senator Tuck.

Senator Arthur addressed the Senate briefly.

INTRODUCTION OF BILLS

Senate File No. 324, by Senator Campbell, a bill for an act to amend chapter two (2) section four hundred thirty-one (431) of

the code of 1897, (C. C. section 3343), that the same may apply to all honorably discharged soldiers, sailors or marines of the United States.

Read first and second times and referred to committee on military affairs.

Senate File No. 325, by Senator Stoddard, a bill for an act to amend chapter two hundred eighty-five (285), acts of the Thirty-Eighth General Assembly, (C. C. sec. 3957-3954) providing for the protection of cities from damage by floods.

Read first and second times 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 bills, in which the concurrence of the Senate is asked:

House File No. 289, a bill for an act to amend section three hundred thirty-five (335), supplement to the code, 1913, (C. C. sec. 6992), relating to the drawing of jury lists.

Also, House File No. 274, a bill for an act to legalize the incorporation, including the notice of incorporation and the publication thereof, and corporate acts and proceedings of the Graettinger Tile Works of Graettinger, Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 274, a bill for an act to legalize the incorporation, including the notice of incorporation and the publication thereof, and the corporate acts and proceedings of the Graettinger Tile Works of Graettinger, Iowa.

Read first and second time and referred to committee on judiciary No. 1.

Passed on file.

House File No. 289, a bill for an act to amend section three hundred thirty-five (335), supplement to the code, 1913, (C. C. sec. 6992), relating to the drawing of jury lists.

Read first and second time and referred to committee on judiciary No. 2.

Passed on file.

REPORT OF COMMITTEE

Senator Bowman, from the committee on rules, submitted the following report:

MR. PRESIDENT: Your committee on rules recommend the adoption of the following resolution:

"That a code revision bill, making no change in appropriations, need not be referred to appropriations committee.

M. L. BOWMAN, *Chairman*.

Senator Price offered the following substitute and moved its adoption:

"All code commission bills containing provisions for appropriations shall be referred to the committee on appropriations."

Senator Wichman raised the point of order that the substitute does not change the present rule and is therefore unnecessary. The President held that the point of order was well taken.

On the question "Shall the resolution offered by the committee on rules be adopted?" the vote was:

Ayes, 32

Abben	Browne	Holdoegel	Reed
Adams	Caldwell	Kimberly	Scott
Baird	Darting	McIntosh	Shaff
Banta	Fulton	Mantz	Shane
Bergman	Gilchrist	Mead	Slosson
Bowman	Goodwin	Newberry	Stoddard
Brookhart	Hale	Olson	Thurston
Brookins	Haskell	Perkins	Wichman

Nays, 11

Buser	Johnston	Rees	Snook
Campbell	Nelson	Romkey	Tuck
Cessna	Price	Shinn	

Absent or not voting, 7

Chase	Ethell	Horchem	White
Dutcher	Hartman	Smith	

The report of the committee and the resolution proposed were declared adopted.

Senator McIntosh moved that a committee be appointed to escort Mrs. Livingston, national president of the W. C. T. U., to the desk. Carried.

The President appointed as such committee Senators McIntosh, Newberry and Darting.

Mrs. Livingston addressed the Senate.

REPORT OF COMMITTEE

Senator Brookhart, 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. 239, a bill for an act to amend, revise and codify section seven thousand nine hundred ten (7910) of the compiled code of Iowa, relating to distribution of intestate property, beg leave to report they have had the same under consideration and recommended the same do pass.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 37, a bill for an act to amend, revise, and codify chapter twenty-five (25) of title four (4) and sections seven hundred twenty-three (723) and seven hundred twenty-four (724) of the compiled code of Iowa, relating to the duty of public officers in the matter of public contracts, beg leave to report they have had the same under consideration and recommend the same do pass.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 39, a bill for an act to amend, revise and codify section seven hundred four (704) of the compiled code of Iowa, relating to the administration of oaths, beg leave to report they have had the same under consideration and recommend the same do pass.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred House File No. 48, a bill for an act to amend, revise and codify sections eight hundred sixty-four (864), eight hundred sixty-five (865), eight hundred sixty-eight (868) and eight hundred seventy-one (871) of the compiled code of Iowa, relating to boards of arbitration, beg leave to report they have had the same under consideration and recommend the same do pass.

Ordered passed on file.

J. L. BROOKHART, *Chairman*.

Senator Brookhart moved that House File No. 48 be substituted for Senate File No. 48. Carried.

By unanimous consent Senator Brookhart withdrew Senate File No. 48 from further consideration.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports it has examined and finds correctly enrolled

House Files Nos. 271 and 314, and House Joint Resolution No. 4.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

REPORT OF COMMITTEE

Senator Bowman, from the committee on rules, submitted the following report:

MR. PRESIDENT: Your committee on rules consisting of the Senate and House committees on rules of the Fortieth General Assembly respectfully report and recommend that the joint rules of the Thirty-ninth General Assembly be adopted as the joint rules of the Fortieth General Assembly.

M. L. BOWMAN, *Chairman of Senate Committee on Rules.*

O. A. ONTJES, *Chairman of House Committee on Rules.*

Ordered passed on file.

On the question, "Shall the report be adopted and the joint rules of the Thirty-ninth General Assembly be adopted as the joint rules of the Fortieth General Assembly?" the vote was:

Ayes, 39

Abben	Ethell	Mantz	Shaff
Adams	Gilchrist	Mead	Shane
Baird	Goodwin	Nelson	Shinn
Banta	Hale	Newberry.	Slosson
Bowman	Hartman	Perkins	Snook
Brookhart	Holdoegel	Price	Stoddard
Brookins	Horchem	Reed	Thurston
Buser	Johnston	Rees	White
Caldwell	Kimberly	Romkey	Wichman
Campbell	McIntosh	Scott	

Nays, none

Absent or not voting, 11

Bergman	Chase	Fulton	Smith
Browne	Darting	Haskell	Tuck
Cessna	Dutcher	Olson	

The report and rules were declared adopted.

The Journal of January 25th was corrected and approved.

MR. PRESIDENT: I move to reconsider the vote by which resolution by committee on rules passed the Senate January 26th, providing: That a code revision bill, making no change in appropriations, need not be referred to appropriation committee.

CHAS. S. BROWNE.

On motion of Senator Slosson the Senate adjourned until 10 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, JANUARY 27, 1923.

Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. J. W. La Grone, pastor of the First Methodist Episcopal church of Estherville, Iowa.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Nelson for the day on request of Senator Browne; Senator Scott for the day on request of Senator Mantz; Senator Bergman for the day on request of Senator Mantz; Senator Shane for the day on request of Senator Brookins; Senator Reed for the day on request of Senator Hale; Senator Shinn for the day on request of Senator Caldwell; Senator Haskell for the day on request of Senator Hale; Senator Mead for the day on request of Senator Caldwell; Senator Shaff for the day on request of Senator Newberry; Senator Dutcher for the day on request of Senator Banta; Senator Brookhart for the day on request of Senator Kimberly; Senator Campbell for the day on request of Senator White.

INTRODUCTION OF BILLS

Senate File No. 326, by Senator Mantz, a bill for an act to amend section twenty-five hundred sixty-three-a3 (2563-a3), supplement to the code, 1913, (C. C. 1142), section twenty-five hundred sixty-three-a7 (2563-a7), supplement to the code, 1913, (C. C. 1146), section twenty-five hundred sixty-three-a9 (2563-a9), supplement to the code, 1913, (C. C. 1148), and to repeal section twenty-five hundred sixty-three-a4 (2563-a4), supplemental supplement to the code, 1915, (C. C. 1143), and to enact a substitute in lieu thereof relating to the protection of game.

Read first and second times and referred to committee on fish and game.

Senate File No. 327, by Senator Wichman, a bill for an act to amend the law as the same appears in chapter eight-a title XII (8-a title XII) supplement to the code, 1913, (C. C. chap. 3, title V),

relating to employers' liability and workmen's compensation for personal injuries sustained by an employe.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 328, by Senator Tuck, a bill for an act to repeal section one thousand seventy-two (1072) (C. C. 357 and 2478) of the supplement to the code, 1913, as amended by chapter fifty-eight (58) acts of the Thirty-eighth General Assembly and section two thousand seven hundred thirty-four-b-one (2734-b1) of the supplement to the code, 1913, (C. C. sec. 2480) relating to the election of county officers, and to enact a substitute therefor.

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

Senate File No. 329, by Senator Bowman, a bill for an act to amend chapter two hundred thirty-seven (237) of the acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly, and sections eight (8), thirteen (13), fourteen (14), eighteen (18), and thirty-six (36) of said chapter (C. C. sec. 2916, 2921, 2922, 2928, 2944) relating to the construction, improvement and maintenance of highways so as to provide for the payment of a portion of the cost of graveling any primary road by special assessments and to provide for the improvement of the secondary roads and to provide for the payment of the cost of the improvement of secondary roads by contribution from the county's allotment of the primary road fund.

Read first and second times and referred to committee on highways.

Senate File No. 330, by Senator Caldwell, a bill for an act to provide for the training of teachers for the elementary schools in private colleges, under the direction of the state board of education, and making an appropriation therefor.

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

Senate File No. 331, by Senator Brookins, a bill for an act to make appropriation for the payment of certain national guard expenses.

Read first and second times and referred to committee on military affairs.

Senate File No. 332, by Senator Horchem, a bill for an act to amend the law as it appears in section two (2) of chapter three

hundred eight (308), acts of the Thirty-seventh General Assembly (compiled code sec. 2630), relating to the education of deaf children.

Read first and second times and referred to committee on educational institutions.

Senate File No. 333, by Senator Horchem, a bill for an act to make an appropriation in favor of certain independent school districts that during the school year 1921-1922 maintained day schools for deaf children.

Read first and second times and referred to committee on educational institutions.

Senate File No. 334, by Senator Horchem, a bill for an act to amend section twenty-seven hundred seventy-three (2773) as amended by chapter 160, acts of the Thirty-eighth General Assembly (C. C. sec. 2639) relating to the time that children of school age may enter school.

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

Senate File No. 335, by Senator Horchem, a bill for an act to amend section two thousand seven hundred seventy-eight (2778), supplemental supplement to the code, 1915, as amended by chapter three hundred ten (310), acts of the Thirty-eighth General Assembly (C. C. 2551, 2553), relating to teachers' contracts.

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

Senate File No. 336, by Senator Thurston, a bill for an act to amend the law as it appears in section fourteen hundred ninety-nine (1499) of the code of eighteen hundred ninety-seven (1897) (C. C. 2811) in relation to the establishment of roads.

Read first and second times and referred to committee on highways.

Senate File No. 337, by Senator Thurston, a bill for an act to amend the law as it appears in section fifteen hundred twenty-seven (1527) hyphen (-) r two (2) of the code of nineteen hundred fifteen (1915) (C. C. sec. 2829) in relation to the establishment of roads.

Read first and second times and referred to committee on highways.

Senate File No. 338, by Senator Thurston, a bill for an act to amend the law as it appears in section four hundred twenty-eight

(428) of the code of eighteen hundred ninety-seven (1897) (C. C. sec. 2827) relating to the powers of the board of supervisors.

Read first and second times and referred to committee on count and township affairs.

Senate File No. 339, by Senator Cessna, a bill for an act to amend section eighteen hundred and fifty (1850), supplement to the code, 1913, (C. C. 5776), 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 times and referred to committee on banks.

Senate File No. 340, by Senator Cessna, a bill for an act to amend section eighteen hundred thirty-nine-1 (1839-1), supplement to the code, 1913, (C. C. 5583) 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 times and referred to committee on insurance.

Senate File No. 341, by Senator Cessna, a bill for an act to amend section sixteen hundred ninety-nine (1699) supplement to code, 1913, (C. C. 5622) and to authorize any company organized under chapter four (4) of title nine (9) of the code of 1897 and amendments thereto, to invest its capital and funds in federal farm loan bonds.

Read first and second times and referred to committee on insurance.

Senate File No. 342, by Senator Gilchrist, a bill for an act relating to indictments and to criminal procedure.

Read first and second times and referred to committee on judiciary No. 1.

CONCURRENT RESOLUTION

Senator Cessna offered the following resolution:

Be It Resolved by the Senate, the House concurring, That the Joint Committee on Rural Credits, appointed by the President of the Senate and the Speaker of the House, which Committee was to report on or before February 1, be granted an extension of time until February 15 in which to submit their report for the reason it is considered necessary by action of the Joint Committee to gather further data concerning the subject.

By unanimous consent the resolution was taken up and considered. Senator Cessna moved its adoption.

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

Ayes, 34.

Abben	Chase	Johnston	Romkey
Baird	Darting	Kimberly	Slosson
Banta	Ethell	McIntosh	Smith
Bowman	Gilchrist	Mantz	Snook
Brookins	Goodwin	Newberry	Stoddard
Browne	Hale	Olson	Tuck
Buser	Hartman	Perkins	Wichman
Caldwell	Holdoegel	Price	
Cessna	Horchem	Rees	

Nays, none.

Absent or not voting, 16.

Adams	Dutcher	Nelson	Shane
Bergman	Fulton	Reed	Shinn
Brookhart	Haskell	Scott	Thurston
Campbell	Mead	Shaff	White

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

CONCURRENT RESOLUTION

Senator Caldwell offered the following resolution:

Be It Resolved by the Senate, the House concurring, That a joint convention of the two houses of the Fortieth Assembly be held on a convenient date.

Be It Further Resolved, That the Honorable Frank O. Lowden of Illinois be invited to speak 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.

By unanimous consent the resolution was taken up and considered. Senator Caldwell moved its adoption.

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

Ayes, 33

Abben	Chase	Horchem	Rees
Baird	Darting	Johnston	Romkey
Banta	Ethell	Kimberly	Slosson
Brookins	Gilchrist	McIntosh	Smith
Browne	Goodwin	Mantz	Snook
Buser	Hale	Newberry	Stoddard
Caldwell	Hartman	Perkins	Thurston
Cessna	Holdoegel	Price	Tuck
			Wichman

Nays, 1.

White

Absent or not voting, 16

Adams	Campbell	Mead	Scott
Bergman	Dutcher	Nelson	Shaff
Bowman	Fulton	Olson	Shane
Brookhart	Haskell	Reed	Shinn
			White

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, H. J. R. No. 4, H. F. No. 314, and H. F. No. 271.

Senator Price offered the following motion:

I move that the Senate request the attorney general, at his earliest convenience, to render an opinion to the Senate upon the following matters:

1. Is the compiled code of Iowa an official publication of the existing laws, or any evidence of the law of Iowa in such a way that it can be referred to in amending, revising and repealing the existing laws?

2. If the above question is answered in the negative, would the fact that the compiled code, as it now exists, being hereafter adopted, remedy the above situation?

3. Does the language in the code commissioners' bills, comprising the title and enacting clause to the effect, that the section of the compiled code (naming it by number) is to be amended, revised and codified serve in effect to repeal the corresponding section or sections of the present law as it now exists.

Senator Wichman moved to amend the resolution by adding thereto the following:

4. If code revision bill No. 1, including paragraph 8 thereof, is passed and enacted as a law, could reference then to the compiled code alone be sufficient?

The amendment was lost.

The motion of Senator Price prevailed.

Senator Price moved that the Senate proceed no further on code commissioners' bills until the opinion of the attorney general is received.

Senator Buser moved as a substitute that no final action be taken on code commissioners' bills until the opinion is received from the attorney general.

The substitute was adopted and the motion prevailed.

The Journal of January 26th was corrected and approved.

On motion of Senator Browne the Senate adjourned until 10 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, JANUARY 29, 1928.

The Senate met in regular session, President Pro Tem John R. Price presiding.

Prayer was offered by Rev. L. F. Smith, pastor of the Evangelical church of Story City, Iowa.

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

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Shinn from citizens of Charter Oak protesting the proposed measures repealing the minimum wage law for teachers and making the office of county superintendent elective. Schools.

By Senator Abben from the teachers of Ocheyedan endorsing the teachers' annuity bill. Schools.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Gilchrist for the day on request of Senator McIntosh; Senator Brookhart for the day on request of Senator Kimberly; Senator Reed for the day on request of Senator Hale; Senator Snook for the day on request of Senator Brookins; Senator Scott for the day on request of Senator Mantz; Senator Olson for the day on request of Senator Mantz.

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. 76, a bill for an act to amend, revise and codify section sixty-three hundred forty-seven (6347) of the compiled code of Iowa, relating to real property.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE MESSAGE CONSIDERED

House File No. 76, a bill for an act to amend, revise and codify section sixty-three hundred forty-seven (6347) of the compiled code of Iowa, relating to real property.

Read first and second time and passed on file.

INTRODUCTION OF BILLS

Senate File No. 343, by Senator Tuck, a bill for an act to compel counties and the officers thereof to limit annual expenditures in the several funds to annual collectible revenues for said funds.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 344, by Senator Buser, a bill for an act to amend chapter two hundred seventy-five (275) of the acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly and to amend sections ten, thirteen, and eighteen (10, 13 and 18) of said chapter as amended by the acts of the Thirty-ninth General Assembly (C. C. sections 3053, 3056, and 3061) relating to the registration of motor vehicles and providing license fees therefor.

Read first and second times and referred to committee on ways and means.

Senate File No. 345, by Senator Abben, a bill for an act to repeal section two hundred fifty-three (253) supplemental supplement to the code, 1915, as amended by the Thirty-seventh (37th) General Assembly chapter two hundred thirty-five (235), and the Thirty-eighth (38th) General Assembly chapter seventy (70) (C. C. 6938) and to enact a substitute therefor relating to the salary and expenses of the judges of the district court.

Read first and second times and referred to committee on judiciary No. 1.

REPORTS OF COMMITTEE

Senator Carl W. Reed, 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. 243, a bill for an act to amend, revise and codify sections eighty hundred eighty seven (8087) and eighty hundred eighty-nine (8089) of the compiled code of Iowa, relating to the forcible entry

or detention of real property, beg leave to report they have had the same under consideration and recommend the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 76, a bill for an act to amend, revise and codify section sixty-three hundred forty-seven (6347) of the compiled code of Iowa relating to real property beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

CARL W. REED, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 235, a bill for an act to amend, revise and codify section seven thousand seven hundred seventy-eight (7778) of the compiled code of Iowa relating to the probate 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 striking out all after the enacting clause and substitute the following therefor:

Section 1. That in any proceeding in probate the court may, on written showing, supported by affidavit and on such notice to interested parties as the court may prescribe, transfer such proceeding to any other county, when it is made to appear that such transfer will be in furtherance of justice, and the same shall thereupon be pending in such other county.

Sec. 2. The clerk of the court ordering the transfer shall retain the original files and papers, but shall make a certified copy thereof, and of all record entries pertaining to the proceedings, and at once file the same in the office of the clerk of the court to which the transfer has been made.

Sec. 3. The clerk of the court to which the proceedings are transferred shall record at length, in the probate records of his county, the certified copy of the record entries referred to in the preceding section.

Amend the title to read as follows:

"A bill for an act to provide for a change of venue in probate proceedings and the manner of transferring the same."

CARL W. REED, *Chairman*.

Ordered passed on file.

Senator Browne called up for consideration his motion to reconsider the vote by which the resolution by the committee on rules passed the Senate January 26th, as found on page 297 of the *Senate Journal*.

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

Ayes, 28

Baird	Cessna	Johnston	Romkey
Banta	Chase	Kimberly	Shane
Bergman	Darting	McIntosh	Shinn
Brookins	Ethell	Mantz	Slosson
Browne	Gilchrist	Mead	Smith
Buser	Goodwin	Nelson	Thurston
Campbell	Hartman	Price	Tuck

Nays, 13

Abben	Haskell	Newberry	Shaff
Bowman	Holdoegel	Perkins	Stoddard
Hale	Horchem	Rees	White
			Wichman

Absent or not voting, 9

Adams	Caldwell	Fulton	Reed
Brookhart	Dutcher	Olson	Scott
			Snook

The motion having received a constitutional majority was declared to prevail.

Mrs. Catherine Hibbs offered her resignation as committee clerk. The resignation was accepted.

REPORT OF COMMITTEE ON COMMITTEE CLERKS

Senator Horchem presented the following report, and moved its adoption:

MR. PRESIDENT: Your committee to whom was referred the examination for clerkships in the Senate, beg leave to report that they have found the following to be proficient and recommend that he be chosen: Charles P. Denison.

B. J. HORCHEM, *Chairman*.

The report was adopted and he was assigned to Senator Campbell.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate concurrent resolution providing for a joint convention of the two houses and extending an invitation to the Honorable Frank O. Lowden of Illinois to speak at this joint convention.

Also:

Senate concurrent resolution granting an extension of time until Feb-

ruary 15th in which the joint committee on rural credits may submit their report.

A. C. GUSTAFSON, *Chief Clerk.*

The Journal of January 27th was corrected and approved.

On motion of Senator Bergman the Senate adjourned until 10 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 30, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Col. L. W. Ainsworth, Secretary of the Senate.

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

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Scott from the Marshall County Farm Bureau protesting Senate Files Nos. 293, 294, and 297, and House File No. 316. Agriculture.

By Senator Ethell from teachers of Moravia protesting proposed repeal of the teachers' minimum wage law. Schools.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Gilchrist for the day, on request of Senator Holdoegel; Senator Adams for the day on request of Senator Haskell.

INTRODUCTION OF BILLS

Senate File No. 346, by Senator Stoddard, a bill for an act to amend chapter one hundred fifty-two (152), laws of the Thirty-ninth (39) General Assembly, (C. C. sec. 3817) and enacting a substitute therefor, relating to regulation of railroads within cities and towns.

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

Senate File No. 347, by Senator McIntosh, a bill for an act to amend chapter thirteen (13) of the supplement to the code, 1913,

(C. C. sec. 2089), chapter five-b (5-b), section two hundred fifty-four-a-fourteen (254-a-14), relating to widows' pensions.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 348, by Senator Buser, a bill for an act to amend the law as it appears in section ten (10) of chapter two hundred thirty-seven (237) acts of the 38th General Assembly relating to the survey of primary road improvement projects.

Read first and second times and referred to committee on highways.

Senate File No. 349, by Senator Thurston, a bill for an act providing for the organization of an insurance rating bureau, and providing for the licensing, examination and regulation thereof; also providing for rate regulation, and complaints and reviews thereof; for the classification and filing of risks; and also providing penalties for the violation of this act.

Read first and second times and referred to committee on insurance.

Senate File No. 350, by Senator Banta, a bill for an act to repeal chapter 279, acts of the 39th G. A. (sec. 529, supplement to C. C.), relating to the counting of absent voters' ballots in precincts using voting machines and to enact a substitute therefor.

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

Senate File No. 351, by Senator Baird, a bill for an act conferring certain powers on peace officers, extradition agents and officers of penal institutions from other states while transporting persons in their custody within this state.

Read first and second times and referred to committee on penal and correctional institutions.

By unanimous consent Senator Tuck withdrew Senate File No. 274 from further consideration.

SENATE FILE 331 REREFERRED

Senate File No. 331 was recalled from the committee on military affairs and referred to the committee on claims.

INFORMATION REQUESTED FROM HIGHWAY COMMISSION

Senator McIntosh offered the following resolution:

Whereas, It appears that the state highway commission has received

from the federal government a large amount of property, consisting of trucks, tents, blankets, tools and other property, and has leased ground and erected buildings to care for such property at Ames, Iowa, therefore,

Be It Resolved, That the said state highway commission be requested to furnish for the information of the Senate the following data:

1. A complete statement and invoice in detail of all the property of every kind so received from the government, with an approximate valuation of the different articles received and its approximate original cost.

2. The amount of freight paid upon said trucks and other articles, if any, by the state of Iowa, and out of what fund or funds said payment was made.

3. A statement showing what distribution has been made, to the various counties, if any, of all of said articles received from the federal government and the cost of delivering these materials to said counties.

4. A statement of the amount of ground leased by the state highway commission, upon which buildings have been erected to house such property, and the terms of such lease or leases; the cost of grading such grounds and preparing it for the erection of said buildings.

5. The total cost of all such buildings erected by the state highway commission and the detailed cost of each building.

Be It Further Resolved, That the said state highway commission transmit as soon as possible to the Secretary of the Senate all of the correspondence or copies of same between the state highway commission and officers of the federal government relating to the transfer of the above described property.

Be It Further Resolved, That the committee on highways or any other committee of the Senate shall have the power to summons the members of the said state highway commission to appear in person to answer questions as to the receipt of monies or the disbursement thereof from the state of Iowa or the federal government.

The resolution was laid over under the rules.

RETURN OF CODE COMMISSION BILLS

Senator Buser offered the following resolution:

Whereas, The code commission bills have all been referred to the committees of the Senate, and,

Whereas, It is not the purpose of the Senate at this time to consider all of the code commission bills,

Be It Resolved, By the Senate that such bills as are not to be considered at this time shall be returned to the Secretary of the Senate for safe keeping, and a receipt executed therefor to the chairman of the committees to whom such returned bills have been referred, to be kept until such time as said committees shall take such bills under consideration.

By unanimous consent the resolution was taken up and considered.

Senator Buser moved that the resolution be adopted. Carried.

FARR MEMORIAL RESOLUTION

Senator Stoddard offered the following resolution, and moved its adoption.

Whereas, The Honorable Edgar P. Farr, of Sioux City, Iowa, a member of the Iowa Senate in the Thirty-fifth and Thirty-sixth General Assemblies, died at Sioux City, Iowa, February 5, 1922, therefore,

Be It Resolved, That a committee of three be appointed to prepare a memorial to commemorate fittingly his service to this state and nation.

The resolution was adopted and the President appointed as such committee: Senators Stoddard, Dutcher and Campbell.

PERRY MEMORIAL RESOLUTION

Senator Price offered the following resolution and moved its adoption:

That whereas the Honorable T. B. Perry, late of Monroe County, Iowa, formerly a member of the Senate in the Twenty-fourth and Twenty-fifth General Assembly, departed this life since the adjournment of the Thirty-ninth General Assembly,

Therefore, I move that the President of the Senate appoint a committee of three to draft a suitable memorial to the life and character of the late Honorable T. B. Perry.

The resolution was adopted and the President appointed as such committee, Senators Price, Fulton and Hartman.

PUSEY MEMORIAL RESOLUTION

Senator Baird offered the following resolution and moved its adoption:

Whereas, The Supreme Architect of the Universe has seen fit to remove Hon. N. M. Pusey, a member of this Senate during the twenty-sixth and twenty-seventh sessions thereof, therefore,

Be It Resolved, That a committee be appointed to commemorate his high character and his worth to the state of Iowa.

The resolution was adopted and the President appointed as such committee: Senators Baird, Holdoegel and Newberry.

REPORT OF COMMITTEE ON TAXATION

Hon. John Hammill, President of Iowa State Senate:

Sir: I have the honor to inform you that the joint legislative committee on taxation, appointed by authority of the Thirty-ninth General Assembly, herewith transmits its report.

Respectfully submitted,

H. S. VAN ALSTINE, *Chairman.*

Senator Smith moved that the committee's report be received and referred to the committee on ways and means, and that the joint committee be discharged. On the question "Shall the motion prevail?" the vote was:

Ayes, 43

Abben	Chase	Mantz	Shaff
Baird	Darting	Mead	Shane
Banta	Dutcher	Nelson	Slosson
Bergman	Ethell	Newberry	Smith
Bowman	Hale	Olson	Snook
Brookins	Hartman	Perkins	Stoddard
Browne	Holdoegel	Price	Thurston
Buser	Horchem	Reed	Tuck
Caldwell	Johnston	Rees	White
Campbell	Kimberly	Romkey	Wichman
Cessna	McIntosh	Scott	

Nays, none.

Absent or not voting, 7

Adams	Fulton	Goodwin	Shinn
Brookhart	Gilchrist	Haskell	

The motion having received a constitutional majority was declared to prevail.

The report was received, placed on file, and referred to the committee on ways and means.

On motion of Senator Price, six thousand copies of the report were ordered printed in pamphlet form.

Senator Smith moved that fifteen copies of the printed report be mailed to each county auditor, fifteen to each county agent, and one to each of the newspapers in the state; and that the Secretary of the Senate be instructed to attend to mailing them. 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. 162, a bill for an act to amend, revise and codify section three thousand seven hundred thirty (3730) of the compiled code of Iowa, relating to municipal corporations.

Also, 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 to amend, revise and codify chapter eight (8) of title eleven (11) of the compiled code of Iowa, relating to the patrolling of public highways.

Also, that the House has amended and passed the following bill in which the concurrence of the Senate is asked:

House File No. 38, a bill for an act to amend, revise and codify sections six hundred ninety-four (694), six hundred ninety-eight (698), seven hundred (700) and seven hundred three (703) of the compiled code of Iowa, relating to notaries public.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 162, a bill for an act to amend, revise and codify section three thousand seven hundred thirty (3730) of the compiled code of Iowa, relating to municipal corporations.

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

House File No. 122, a bill for an act to amend, revise and codify chapter eight (8) of title eleven (11) of the compiled code of Iowa, relating to the patrolling of public highways.

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

House File No. 38, a bill for an act to amend, revise and codify sections six hundred ninety-four (694), six hundred ninety-eight (698), seven hundred (700) and seven hundred three (703) of the compiled code of Iowa, relating to notaries public.

Read first and second times and referred to committee on judiciary No. 1.

OPINION BY ATTORNEY GENERAL

Des Moines, January 29, 1923.

Hon. John Hammill,
Lieutenant Governor,
Senate Chamber.

Dear Governor Hammill: I am in receipt of a request from the Senate for an official opinion on certain questions submitted relating to code revision. The first question submitted is in words as follows:

"Is the compiled code of Iowa an official publication of the existing laws, or any evidence of the laws of Iowa in such a way that it can be referred to in amending, revising and repealing the existing laws?"

The compiled code is provided for in chapter 50 of the acts of the Thirty-eighth General Assembly. This chapter provides for the creation of a Code Commission upon which commission certain duties and powers are conferred. Section 4 of such chapter provides as follows:

"Said commission shall carefully edit and codify the laws of Iowa, omitting all laws or parts repealed, omitting all laws of local or temporary character, and all annotations and decisions, and collect such general laws of Iowa, including such laws of the thirty-eighth general assembly, printed and bound in one complete volume in such shape as to be amended and adopted as the permanent code of the state. The said

commission shall renumber the sections and provide and print in the same volume a table of corresponding sections and an index indexing alphabetically the principal words in each section by section, omitting the pages and shall not index such words by referring to other words in the section index, but shall give the number of section, chapter or title as best adapted to find a section sought without again referring to the index.

"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."

After the adjournment of the Thirty-eighth General Assembly the Code Commission proceeded to edit and codify the laws. The result is contained in the compiled code. It was provided that the report of the Code Commission should be made to a special session of the General Assembly. Such special session was never held and the report was subsequently made to the Thirty-ninth General Assembly. Such General Assembly proceeded to consider code revision and provided in chapter 333 of its acts for the preparation of the supplement to the compiled code. This provision is in words as follows:

"The reporter of the supreme court shall without delay prepare a supplement to the compiled code, which shall contain:

"(a) A schedule or table showing each section of the compiled code which has been amended or revised by any act of the Thirty-ninth General Assembly and indicating therein the chapter and section number of the act of said session which so amends or revises said section.

"(b) A recompilation showing in final revised form, under the compiled code titles and section, every section of said code which has been so amended or revised.

"(c) A notation, in the form employed in the supplemental supplement to the code, 1915, of each repealed section.

"(d) All other acts of the Thirty-ninth (39th) General Assembly which are of a general and permanent nature, arranging the same under appropriate titles and chapters of the compiled code."

It will be observed then that the compiled code and the supplement to the compiled code are official publications of the state of Iowa, prepared under the express direction of the legislature. Neither the compiled code nor the supplement thereto have as yet been adopted as official within the true meaning of the word.

It is fundamental that the legislature may pursue any course which to it may seem advisable in the enactment of laws so long as in doing so it does not violate some provision of the Constitution. The Constitution provides, in substance, that every act shall contain but one subject, which subject shall be clearly expressed in the title. It also provides for the general enacting clause, "Be it enacted by the General Assembly of the State of Iowa." If the legislature in the enactment of a law follows the procedure outlined by the Constitution, the law enacted becomes the law of the state without reference to any code. It has been customary, however, for the General Assembly to provide methods of reference to the law as it appears in the code, the supplements to the code, and the acts of the General Assembly. Such provisions are for the purpose of identification, that is to say, the reference is for the purpose of easily identifying those portions of the existing laws which are affected by the new enactment. The present statute relative thereto is to be found in sections 41-a

and 41-b of the supplement to the code, 1913. These sections are in words as follows:

"That the law relating to the amendment and repeal of statutes, which appears as chapter two, of the laws of the Twenty-seventh General Assembly, and as section forty-one-a (41-a), of the supplement to the code, (1902) be and the same is hereby repealed, and the following enacted in lieu thereof:

"Every act passed in amendment, modification or repeal of a law, shall in its title, and in the body of the act itself, refer to the law so amended, modified or repealed, as follows:

"1. An act which amends, modifies or repeals a law which appears as a section or sections of the code, shall refer to such section or sections of the code.

"2. An act which amends, modifies, or repeals a law which appears as a chapter of the code, shall refer to such chapter and title of the code.

"3. An act which amends, modifies or repeals a law which appears as a section or sections of the supplement to the code, shall refer to the section or sections of the said supplement to the code, as numbered therein.

"4. An act which amends, modifies or repeals a law which appears as a chapter of the supplement to the code, shall refer to the chapter and title of such supplement to the code, as numbered therein.

"5. An act which amends, modifies or repeals any part or all of any act of the General Assembly, not contained in the code or supplement to the code, shall refer to the chapter of the act, and number of the general assembly which passed the act so amended, modified or repealed.

"6. If such reference be omitted in the title, the secretary of state shall, in preparing such act for publication, supply the omission.

"7. Whenever reference is made to any section, chapter or title, as hereinbefore provided, the number of the same shall be expressed in words followed by the figures in parenthesis.

"Sec. 41-b. The provisions of paragraphs three and four of section one of this act, shall be applicable to the passage of any act that may be passed after any further compilation and publication of a supplement to the code, that may be made by the authority of, and as provided by law."

As has been stated, it is not necessary for the legislature in the enactment of statutes to comply with provisions of prior statutes relative thereto, but only to obey the plain mandate of the constitution. It is always advisable where procedure is outlined by prior statutes to follow the provisions of such statutes, but it is not mandatory. Therefore, while the legislature may properly, in the enactment of Code Bill No. 1, comply with the provisions of 41-a and 41-b of the Supplement to the Code, 1913, it is not necessarily bound to do so. Its failure in this regard will not affect the validity of its action.

It is advisable and, as I understand, it is the intention of the legislature to adopt a preliminary statute known as Code Bill No. 1. This statute should provide for the identification of the existing law by reference to the compiled code, and should clearly indicate that the revision, amendment and codification of the compiled code, or parts thereof, is in fact an amendment, revision and codification of the existing law.

I have not given to Code Bill No. 1 that careful attention to which it is entitled. This bill is, as has been stated, the base upon which the legislature is to act. It should therefore, be so specific and certain that no doubt can be entertained as to the procedure to be succeedingly followed in all bills having to do with the amendment, revision and codification of the laws.

Attention is called, in connection with this interrogatory, to the fact

that the constitutional requirement is that the subject matter shall be referred to in the title. The courts have uniformly held that a mere general reference in the title to the subject matter is sufficient. The only requirement being that the title be sufficient to answer as a key to the subject matter contained in the act. The subject matter contained in the act is not certain sections of the code, but the very subject to which the legislation refers.

For example, the subject matter of Code Bill No. 1 is not sections 42 and 43 of the compiled code, but "the citation and form of bills for the amendment, revision, codification or repeal of statutes." In all of the code bills which I have examined, I find that the subject matter of the act follows the word "relating." If the title is a key to the subject matter contained in the act, even though it be a mere general reference, it is sufficient.

It may be said that the code bills should not refer to the compiled code, but an observation of chapter 50 of the acts of the Thirty-eighth General Assembly will disclose the fact that such general assembly provided for the compilation of the compiled code "in such shape as to be amended and adopted as the permanent code of the state." Therefore, the compiled code as provided for for the express purposes is now an official publication of the state.

Question number two is in words, as follows:

"If the above question is answered in the negative, would the fact that the compiled code, as it now exists, being hereafter adopted, remedy the above situation?"

It is assumed that the legislature at the completion of its work of code revision, will properly enact the code as amended, revised and codified by titles and chapters, as has been done in previous general assemblies. This being true, this question should be answered in the affirmative.

The third question submitted by you is in words as follows:

"Does the language of the code commissioners' bills, comprising the title and enacting clause to the effect, that the section of the compiled code (naming it by number) is to be amended, revised and codified serve in effect to repeal the corresponding section or sections of the present law as it now exists."

In connection with code revision it has been customary for the legislature to enact a general repealing statute. However, there is no doubt but that if the subsequent statute is inconsistent with a prior statute, and such subsequent statute is properly enacted, the enactment thereof would act as a repeal by implication of the prior statute.

Before closing this opinion and for the information of the Senate, I would call attention to the titles of the code revision bills of 1880, 1873, and 1897, which are almost identical with the titles of the code bills. Such titles were in general form as follows:

"An act to amend, revise, and codify the statutes relating to etc."

I make this observation in conclusion so that the legislature may have the information at hand in consideration of the questions involved in this opinion.

Respectfully submitted,

BEN J. GIBSON,
Attorney General.

THIRD READING OF BILLS

On motion of Senator Campbell Senate File No. 37, a bill for an act to amend, revise, and codify chapter twenty-five (25) of title four (4) and sections seven hundred twenty-three (723) and seven hundred twenty-four (724) of the compiled code of Iowa, relating to the duty of public officers in the matter of public contracts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Campbell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32

Abben	Chase	McIntosh	Shaft
Baird	Dutcher	Mead	Shane
Banta	Fulton	Newberry	Slosson
Bergman	Hale	Olson	Smith
Bowman	Hartman	Perkins	Stoddard
Brookins	Haskell	Reed	Thurston
Caldwell	Horchem	Rees	White
Campbell	Kimberly	Scott	Wichman

Nays, 8

Browne	Ethell	Romkey	Snook
Buser	Price	Shinn	Tuck

Absent or not voting, 10

Adams	Darting	Hoedoegel	Nelson
Brookhart	Gilchrist	Johnston	
Cessna	Goodwin	Mantz	

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

On motion of Senator Campbell Senate File No. 39, a bill for an act to amend, revise and codify section seven hundred four (704) of the compiled code of Iowa, relating to the administration of oaths, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

On motion of Senator Dutcher, the bill was rereferred to committee on judiciary No. 2.

On motion of Senator Abben Senate File No. 239, a bill for an act to amend, revise and codify section seven thousand nine hundred ten (7910) of the compiled code of Iowa, relating to

distribution of intestate property, 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 adding thereto "If such child leave no surviving spouse, his entire estate shall go to his parents by adoption; or, if he leave but one such parent, then to such parent."

On motion of Senator Dutcher the bill with pending amendment, was rereferred to the committee on judiciary No. 2.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President John Hammill presiding.

REPORT ON COMMITTEE CLERK

MR. PRESIDENT: Your committee appointed to examine committee clerks, beg to report that the following clerk has been examined—found qualified and has been assigned to Senator Chase: May Bahrenfuss.

B. J. HORCHEM, *Chairman*.

The report was adopted.

INTRODUCTION OF BILLS

Senate File No. 352, by Senator Brookhart, a bill for an act to amend section three thousand thirty-eight (3038) of the Code (C. C. sec. 5889), and section three thousand thirty-nine (3039) of the Code (C. C. sec. 5890), relating to rates of interest and other items to be considered as interest.

Read first and second times and referred to committee on banks.

Senate File No. 353, by Senator Shaff, a bill for an act to repeal chapter three hundred ninety-one, (391) acts of the Thirty-eighth General Assembly, as amended by chapter twenty-two, (22) acts of the Thirty-ninth General Assembly, (C. C. sec. 7942), relating to the compensation of executors, administrators and attorneys for estates.

Read first and second times and referred to committee on judiciary No. 1.

AMENDMENT FILED

Senator Shinn filed the following amendment to the resolution offered by Senator McIntosh:

I move to amend section 3, paragraph 2, by adding thereto the following: "and all property disposed of to private individuals, corporations, or municipalities."

The Journal of January 29th, was corrected and approved.

On motion of Senator Newberry the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 31, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. A. W. Armstrong of Perry, Iowa.

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

PETITIONS AND MEMORIALS

The following petition was presented and referred to the designated committee:

By Senator Browne from Camp No. 122, Modern Woodmen of America, Sabula, protesting the Richmond bill. Insurance.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Gilchrist for the day, on request of Senator McIntosh; Senator Adams for the day, on request of Senator Haskell, on account of illness.

INTRODUCTION OF BILLS

Senate File No. 354, by Senator Kimberly, 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: Soldiers' Home, Soldiers' Orphans' Home, Juvenile Home, Institution for Feeble-Minded Children, State Sanatorium for the Treatment of Tuberculosis, Training School for Boys, Training School for Girls, Mount Pleasant State Hospital, Independence State Hospital, Clarinda State Hospital, Cherokee State Hospital,

State Hospital and Colony for Epileptics, State Penitentiary, Men's Reformatory and Women's Reformatory.

Read first and second times and referred to committee on board of control.

Senate File No. 355, by Senator Kimberly, a bill for an act to change the name of the State Hospital and Colony for Epileptics.

Read first and second times and referred to committee on board of control.

Senate File No. 356, by Senator Kimberly, a bill for an act to amend section two hundred fifty-four-a-twenty-three (254-a23), supplement to code, 1913, (C. C. section 2103), relating to commitments to the Training School for Girls.

Read first and second times and referred to committee on board of control.

Senate File No. 357, by Senator Kimberly, a bill for an act to repeal the law as it appears in section six (6), chapter thirty-seven (37), acts of the Thirty-eighth General Assembly (S. C. C. 2457), and section three (3), chapter two hundred ninety-seven (297), acts of the Thirty-ninth General Assembly (S. C. C. 2457), and to enact substitutes therefor; and to amend sections eleven (11) (C. C. 2469) and twelve (12) (C. C. 2470) chapter one hundred sixty-five (165), acts of the Thirty-eighth General Assembly, and sections two (2) (C. C. 2038) and seven (7) (C. C. 2159), chapter thirty-seven (37), acts of the Thirty-eighth General Assembly; relating to the support funds of the various state institutions under the supervision of the Board of Control of State Institutions.

Read first and second times and referred to committee on board of control.

Senate File No. 358, by Senator Kimberly, a bill for an act to amend section twenty-seven hundred thirteen-n-seven (2713-n7), supplemental supplement to code 1915, (C. C. section 2165), relating to commitments to Women's Reformatory.

Read first and second times and referred to committee on board of control.

Senate File No. 359, by Senator Mantz, a bill for an act to amend sections eleven hundred thirty-seven-c (1137-c), supplemental supplement to the code, 1915, (C. C. 522), and eleven hundred thirty-seven-e (1137-e), supplemental supplement to the code, 1915, (C. C. 524), relating to the absent voters' law.

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

Senate File No. 360, by Senator Mantz, a bill for an act authorizing the proper authorities of the state of Iowa to issue a patent conveying certain real estate located in Audubon county, Iowa, to Walter F. Nelson.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 361, by Senators Newberry and Wichman, a bill for an act providing for the supervision and regulation of persons either natural or artificial engaged in the transportation of persons or property for hire over the public highways of the state by motor vehicles and conferring certain jurisdiction over such persons and such vehicles upon the board of railroad commissioners of the state; also providing for the enforcement of this act and for the punishment of violation thereof.

Read first and second times and referred to committee on motor vehicles.

MESSAGES 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. 306, a bill for an act to amend section two hundred twenty-seven (227) of the supplemental supplement to the code, 1915 (C. C. sec. 6937), relating to the number of district judges in each district, and providing that the number of judges in the fourth judicial district shall be four, and providing a method for filling the additional office created by this act, and for the election of a judge to fill the office hereby created, when the term of an appointee to fill such office shall expire as provided by law.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 1, a bill for an act to amend, revise and codify sections forty-two (42) and forty-three (43) of the compiled code of Iowa, relating to the citation and form of bills for the amendment, revision, codification or repeal, of statutes.

HOUSE AMENDMENTS

Amend Senate File No. 1 as follows:

That section eight (8) be amended by striking out the period (.) at

the close and substituting a semi-colon (;) in lieu thereof, and adding the following:

"A reference to the law of this state by title, chapter or section of the compiled code or supplement to the compiled code, shall have the same force and effect as a reference to such law by title, chapter or section of the code, supplement to the code of 1913, supplemental supplement of 1915, or the acts of the 37th, 38th and 39th General Assemblies."

That said bill be amended by adding thereto the following as section nine (9):

"Sec. 9. Proper head notes may be placed at the beginning of a section of a bill, and at the end of the section there may be placed a reference to the section number of the compiled code, supplement to the compiled code, 'the code' or any supplement thereto, or any session law from which the matter of the bill was taken, but neither said head notes nor said historical references shall be considered as a part of the law as enacted."

That section nine (9) of said bill be re-numbered as section ten (10).

A. C. GUSTAFSON, Chief Clerk.

HOUSE MESSAGES CONSIDERED

House File No. 306, a bill for an act to amend section two hundred twenty-seven (227) of the supplemental supplement to the code, 1915 (C. C. Sec. 6937), relating to the number of district judges in each district, and providing that the number of judges in the Fourth judicial district shall be four, and providing a method for filling the additional office created by this act, and for the election of a judge to fill the office hereby created, when the terms of appointee to fill such office shall expire as provided by law.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 76, a bill for an act to amend, revise and codify section sixty-three hundred forty-seven (6347) of the compiled code of Iowa, relating to real property.

Read first and second time.

Senator Reed moved that the bill be indefinitely postponed.

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

Ayes, 43.

Abben
Baird
Banta
Bergman
Bowman
Brookhart
Browne
Buser
Caldwell

Campbell
Cessna
Chase
Darting
Dutcher
Ethell
Fulton
Goodwin
Hale

Hartman
Haskell
Holdoegel
Horchem
Johnston
Kimberly
McIntosh
Mantz
Nelson

Newberry
Olson
Perkins
Reed
Rees
Romkey
Scott
Shane
Shinn

Slosson
Smith

Snook
Stoddard

Tuck

White
Wichman

Nays, none.

Absent or not voting, 7.

Adams
Brookings

Gilchrist
Price

Thurston
Mead

Shaff

The motion having received a constitutional majority was declared to have passed the Senate and the bill was indefinitely postponed.

REPORT OF COMMITTEE

Senator Ethell, 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. 309, a bill for an act to repeal section one thousand four hundred fifty-nine (1459) of the Code of 1897 (C. C. section 4769) relating to the collection, possession and remittance of moneys belonging to the state treasury by county treasurers and to enact a substitute therefor, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking from line eight (8), paragraph two (2), section one (1) the word "auditor" and inserting in lieu thereof the word "treasurer".

JOHN J. ETHELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred Senate File No. 338, a bill for an act to amend the law as it appears in section four hundred twenty-eight (428) of the code of eighteen hundred ninety-seven (1897) (C. C. sec. 2827) relating to the powers of the board of supervisors, beg leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman.*

Ordered passed on file.

RESOLUTION CONSIDERED

Senator McIntosh called up for consideration the resolution found on page 311 of the Senate Journal.

The amendment offered by Senator Shinn found on page 321 of the Senate Journal was adopted.

Senator Holdoegel offered the following amendment and moved its adoption: Amend by striking from the last paragraph the words "or any other committee."

Senator McIntosh asked for a roll call.

Senator Baird invoked Rule 8.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 24.

Baird	Goodwin	Mantz	Shaff
Banta	Hale	Newberry	Slosson
Caldwell	Haskell	Olson	Smith
Chase	Ho'doegel	Perkins	Stoddard
Dutcher	Horchem	Reed	White
Fulton	Kimberly	Scott	Wichman

Nays, 24.

Abben	Buser	Johnston	Romkey
Bergman	Campbell	McIntosh	Shane
Bowman	Cessna	Mead	Shinn
Brookhart	Darting	Nelson	Snook
Brookins	Ethell	Price	Thurston
Browne	Hartman	Rees	Tuck

Absent or not voting, 2.

Adams Gilchrist

The amendment was lost.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking out paragraph one.

The amendment was lost.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by adding at the end of paragraph No. 5 the following: "and from what funds the same are paid."

The amendment was adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Insert after the word "commission" in the last paragraph of said resolution the following: "or the members of any other commission or officers of any department of the state."

Senator Chase raised the point of order that the amendment is not germane to the subject matter. The point of order was sustained. Senator Stoddard withdrew his amendment.

Senator Baird offered the following amendment and moved its adoption:

Amend by adding "The Highway Commission, for the purpose of examination by the Senate, shall present their books containing all records and information requested in the resolution".

Amendment was lost.

Senator Buser offered the following amendment and moved its adoption:

Amend the resolution by adding as paragraph 6 the following: "Upon what authorization of law did the highway commission contract for this property; and pay the freight thereon, and the cost of unloading and moving said property, and from what fund were said expenses paid."

Senator Newberry moved that the resolution be made a special order of business for 1:30 p. m.

Senator Holdoegel moved to amend by adding: "And that the President appoint a committee of three to prepare and present the resolution as it should be presented to accomplish the desired result."

Senator Price raised the point of order that the Senate did not have the right to appoint a committee to redraft the resolution.

The President held that the point of order was not well taken.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 19.

Abben	Hale	Newberry	Shaff
Baird	Haskell	Olson	Stoddard
Bowman	Holdoegel	Perkins	White
Caldwell	Horchem	Reed	Wichman
Goodwin	Mantz	Scott	

Nays, 29.

Banta	Cessna	Johnston	Romkey
Bergman	Chase	Kimberly	Shane
Brookhart	Darting	McIntosh	Shinn
Brookins	Dutcher	Mead	Slosson
Browne	Ethell	Nelson	Smith
Buser	Fulton	Price	Snook
Campbell	Hartman	Rees	Thurston
			Tuck

Absent or not voting, 2.

Adams	Gilchrist
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The amendment was lost.

Senator Ethell moved the previous question, which motion prevailed, and the previous question was ordered.

Senator Price asked for a roll call and invoked Rule 8.

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

Ayes, 23.

Abben	Darting	Horchem	Scott
Baird	Dutcher	Mantz	Shaff
Banta	Goodwin	Newberry	Stoddard
Bergman	Hale	Olson	White
Bowman	Haskell	Perkins	Wichman
Caldwell	Holdoegel	Reed	

Nays, 24.

Brookhart	Chase	McIntosh	Shane
Brookins	Ethell	Mead	Shinn
Browne	Fulton	Nelson	Slosson
Buser	Hartman	Price	Snook
Campbell	Johnston	Rees	Thurston
Cessna	Kimberly	Romkey	Tuck

Absent or not voting, 3.

Adams	Gilchrist	Smith
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The motion was lost.

Senator Shaff moved that the Senate adjourn until 1:30 p. m.
Motion was lost.

Senator Price rose to a point of order that the previous question had been put and that there could be no further discussion.
The point of order was sustained.

The amendment offered by Senator Buser was adopted.

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

Ayes, 44.

Abben	Ethell	Mantz	Shaff
Bergman	Fulton	Mead	Shane
Bowman	Goodwin	Nelson	Shinn
Brookhart	Hale	Newberry	Slosson
Browne	Hartman	Olson	Smith
Buser	Haskell	Perkins	Snook
Campbell	Holdoegel	Price	Stoddard
Cessna	Horchem	Reed	Thurston
Chase	Johnston	Rees	Tuck
Darting	Kimberly	Romkey	White
Dutcher	McIntosh	Scott	Wichman

Nays, 4.

Baird	Banta	Brookins	Caldwell
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Absent or not voting, 2.

Adams	Gilchrist
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The resolution having received a constitutional majority was declared to have been adopted.

THIRD READING OF BILLS

On motion of Senator Reed, Senate File No. 11, a bill for an act to amend, revise and codify chapter seven (7) of title two (2) of the compiled code of Iowa, and section one hundred sixty-nine (169) and one hundred seventy-five (175) of the supplement to said code, relating to the reporter of the supreme court and editor of the code, the preparation, printing, and distribution of the reports of the supreme court, and of annotations to the code.

and making an appropriation therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information. Further action was deferred.

Senator Bowman called up for consideration the following rule proposed by the committee on rules, and moved its adoption: "A code revision bill, making no change in appropriations, need not be referred to appropriations committee."

Senator Browne asked for a roll call.

Senator Ethell invoked Rule 8.

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

Ayes, 22.

Abben	Caldwell	Haskell	Reed
Baird	Dartling	Holdoegel	Scott
Banta	Dutcher	Horchem	Shaff
Bowman	Goodwin	Newberry	Snook
Brookhart	Hale	Olson	Stoddard
			White
			Wichman

Nays, 24.

Bergman	Chase	McIntosh	Shane
Brookins	Ethell	Mead	Shinn
Browne	Fulton	Nelson	Slosson
Buser	Hartman	Price	Smith
Campbell	Johnston	Rees	Thurston
Cessna	Kimberly	Romkey	Tuck

Absent or not voting, 4.

Adams	Gilchrist	Mantz	Perkins
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The motion was lost.

Senator Price moved that the vote by which the rule failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent the Senate resumed consideration of S. F. No. 11.

Senator Reed moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Buser	Fulton	Horchem
Baird	Caldwell	Goodwin	Johnston
Banta	Campbell	Hale	Kimberly
Bergman	Dartling	Hartman	McIntosh
Bowman	Dutcher	Haskell	Mead
Brookhart	Ethell	Holdoegel	Nelson

Newberry	Rees	Slosson	Thurston
Olson	Shaff	Snook	Tuck
Reed	Shane	Stoddard	White
			Wichman

Nays, none.

Absent or not voting, 13.

Adams	Cessna	Mantz	Romkey
Brookins	Chase	Perkins	Scott
Browne	Glchrist	Price	Shinn
			Smith

The bill having recieved a constitutional majority was declared to have passed the Senate and the title was agreed to.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President John Hammill presiding.

THIRD READING OF BILLS

On motion of Senator Brookhart, House File No. 48, a bill for an act to amend, revise and codify sections eight hundred sixty-four (864), eight hundred sixty-five (865), eight hundred sixty-eight (868) and eight hundred seventy-one (871) of the compiled code of Iowa, relating to boards of arbitration, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Brookhart moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.			
Abben	Chase	Kimberly	Shaff
Baird	Darting	Mantz	Shane
Banta	Dutcher	Mead	Slosson
Bergman	Ethell	Nelson	Smith
Brookhart	Goodwin	Newberry	Snook
Brookins	Hartman	Olson	Stoddard
Browne	Haskell	Perkins	Tuck
Buser	Holdoegel	Reed	White
Caldwell	Horchem	Rees	Wichman
Campbell	Johnston	Scott	

Nays, 1.

Shinn

Absent or not voting, 10.

Adams	Fulton	McIntosh	Thurston
Bowman	Gilchrist	Price	
Cessna	Hale	Romkey	

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

On motion of Senator Reed Senate File No. 235, a bill for an act to amend, revise and codify section seven thousand seven hundred seventy-eight (7778) of the compiled code of Iowa, relating to the probate court, 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 the following therefor:

Section 1. That in any proceeding in probate the court may, on written showing, supported by affidavit and on such notice to interested parties as the court may prescribe, transfer such proceeding to any other county, when it is made to appear that such transfer will be in furtherance of justice, and the same shall thereupon be pending in such other county.

Sec. 2. The clerk of the court ordering the transfer shall retain the original files and papers, but shall make a certified copy thereof, and of all record entries pertaining to the proceedings, and at once file the same in the office of the clerk of the court to which the transfer has been made.

Sec. 3. The clerk of the court to which the proceedings are transferred shall record at length, in the probate records of his county, the certified copy of the record entries referred to in the preceding section.

The bill was read for information.

Senator Wichman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Dutcher	Mead	Smith
Baird	Goodwin	Newberry	Snook
Banta	Hale	Olson	Stoddard
Bergman	Hartman	Perkins	Thurston
Brookhart	Haskell	Reed	Tuck
Brookins	Holdoegel	Rees	White
Buser	Horchem	Scott	Wichman
Caldwell	Kimberly	Shaff	
Campbell	McIntosh	Shane	
Darting	Mantz	Slosson	

Nays, none.

Absent or not voting, 13.

Adams	Cessna	Fulton	Nelson
Bowman	Chase	Gilchrist	Price
Browne	Ethell	Johnston	Romkey
			Shinn

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 to read as follows: "A bill for an act to provide for a change of venue in probate proceedings and the manner of transferring the same."

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Reed Senate File No. 243, a bill for an act to amend, revise and codify sections eighty hundred eighty-seven (8087) and eighty hundred eighty-nine (8089) of the compiled code of Iowa, relating to forcible entry or detention of real property, 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 reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Dutcher	Nelson	Slosson
Baird	Goodwin	Newberry	Snook
Banta	Hale	Olson	Stoddard
Brookhart	Hartman	Perkins	Thurston
Brookins	Holdeogel	Reed	Tuck
Buser	Horchem	Rees	White
Campbell	Johnston	Scott	Wichman
Cessna	Kimberly	Shaff	
Chase	McIntosh	Shane	
Darting	Mantz	Shinn	

Nays, none.

Absent or not voting, 13.

Adams	Caldwell	Haskell	Smith
Bergman	Ethell	Mead	
Bowman	Fulton	Price	
Browne	Gilchrist	Romkey	

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

HOUSE AMENDMENTS CONSIDERED

By unanimous consent Senate File No. 1, with House amendments, was taken up and considered.

Senator Reed moved that the Senate concur in the following House amendments:

Amend Senate File No. 1 as follows:

Amend section eight (8) by striking out the period (.) at the close and substituting a semi-colon (;) in lieu thereof, and adding the following:

"A reference to the law of this state by title, chapter or section of the compiled code or supplement to the compiled code, shall have the same force and effect as a reference to such law by title, chapter or section of the code, supplement to the code of 1913, supplemental supplement of 1915, or the acts of the 37th, 38th and 39th General Assemblies."

Amend the bill by adding thereto the following as section nine (9):

"Sec. 9. Proper head notes may be placed at the beginning of a section of a bill, and at the end of the section there may be placed a reference to the section number of the compiled code, supplement to the compiled code, 'the code' or any supplement thereto, or any session law from which the matter of the bill was taken, but neither said head notes nor said historical references shall be considered as a part of the law as enacted."

Re-number section nine (9) of said bill as section ten (10).

On the question "Shall the Senate concur in the House amendments?" the vote was:

Ayes, 37.

Abben	Darting	McIntosh	Shane
Baird	Dutcher	Mantz	Slosson
Banta	Goodwin	Mead	Snook
Bergman	Hale	Nelson	Stoddard
Bowman	Hartman	Newberry	Tuck
Brookhart	Haskell	Olson	White
Brookins	Holdoegel	Perkins	Wichman
Buser	Horchem	Reed	
Campbell	Johnston	Scott	
Chase	Kimberly	Shaff	

Nays, 1.

Shinn

Absent or not voting, 12.

Adams	Cessna	Gilchrist	Romkey
Browne	Ethell	Price	Smith
Caldwell	Fulton	Rees	Thurston

The amendments having received a constitutional majority were 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 passed the following bill in which the concurrence of the Senate is asked:

House File No. 269, a bill for an act to repeal section four (4), chapter two hundred thirty-seven (237) acts of the Thirty-eighth General Assembly (38th General Assembly) as amended by chapter twenty (20) acts of the Thirty-ninth General Assembly and enact a substitute therefor, and to amend section six (6) of said chapter as amended by chapter twenty (20), acts of Thirty-ninth General Assembly, relating to the construction, improvement and maintenance of highways.

A. C. GUSTAFSON, Chief Clerk.

HOUSE MESSAGE CONSIDERED

House File No. 269, a bill for an act to repeal section four (4), chapter two hundred thirty-seven (237) acts of the Thirty-eighth (38) General Assembly, as amended by chapter twenty (20) acts of the Thirty-ninth (39) General Assembly and enact a substitute therefor, and to amend section six (6) of said chapter as amended by chapter twenty (20), acts of the Thirty-ninth (39) General Assembly, relating to the construction, improvement and maintenance of highways.

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

INTRODUCTION OF BILLS

Senate File No. 362, by Senator Fulton, a bill for an act to compensate Second Lieutenant Charles R. Messett, 133d Infantry, Iowa National Guard, for injuries received in line of duty, and for hospital and medical services, and loss of pay in his civil occupation, and making an appropriation to pay such compensation.

Read first and second times and referred to committee on claims.

By unanimous consent on request of Senator Holdoegel the following correspondence was ordered printed in the Journal:

Ames, Iowa, January 31, 1923.

Dear Senator: At any time when any Senator desires any information in regard to any operation or expenditure of the highway commission it is not necessary for him to take up the time of the Senate in introducing resolutions demanding such information. The highway commission will readily furnish any Senator any information in regard to highway matters upon request. Very truly yours,

F. R. White, Chief Engineer,
Iowa State Highway Commission.

Senator P. C. Holdoegel, Des Moines, Iowa.

Department of Agriculture, Washington, August 17, 1922.

Hon. N. E. Kendall, Governor of Iowa, Des Moines, Iowa.

Dear Governor Kendall: The certificate executed by you on February 2, 1922, to comply with section 10 of the federal highway act was duly received by this department through the Iowa State Highway Commission. Section 10 of the federal highway act reads, as follows:

"Sec. 10. That when any state shall have met the requirements of this act, the secretary of the treasury, upon receipt of certification from the governor of such state to such effect, approved by the secretary of agriculture, shall immediately make available to such state, for the purpose set forth in this act, the sum apportioned to such state as herein provided."

Careful consideration has been given the certificate by the department, in conjunction with the state statutes cited therein, and it appears that the state has a state highway commission suitably equipped and organized to constitute a highway department, as that term is defined in the federal highway act, except that the commission is not empowered to select types of pavements to be made nor to maintain federal aid roads after construction unless the county boards of supervisors should fail to maintain such roads. As regards the selection of types of pavements, it would seem that under the state law (chapter 249, 37th G. A., and chapter 237, 38th G. A.) the primary roads must first be graded and drained and thereafter may be hard surfaced only after authorization by a vote of the electors at a general or special election, and that the question of hard surfacing shall not be submitted to a vote in any county more often than once in every twenty-four months. From this, therefore, it appears that neither the state nor the county boards of supervisors can initiate the hard surfacing of any primary road, but the county boards are authorized by section 6, chapter 237, 38th G. A., to surface primary roads with gravel, or oil, or both (which are declared to not constitute hard surfacing), after the grading and draining of the primary system, or any division thereof, in a county, if the board by resolution shall elect so to do. It is the department's view that under the limited authority, or lack of authority, given the state highway commission in the matter of selecting types of pavements it would be possible to defeat the purpose of the federal highway act in the completion of the seven per cent system of federal aid highways with surfacing adequate to meet traffic conditions, for the reason that however necessary or desirable the pavement of a particular road, or section of road, might be, the state highway commission would be powerless to effect such pavement without action on the part of the boards of supervisors or a vote of the people.

Section 8 of the federal highway act reads, as follows:

"Sec. 8. That only such durable types of surface and kinds of materials shall be adopted for the construction and reconstruction of any highway which is a part of the primary or interstate and secondary or intercounty systems as will adequately meet the existing and probable future traffic needs and conditions thereon. The secretary of agriculture shall approve the types and width of construction and reconstruction and the character of improvement, repair, and maintenance in each

case, consideration being given to the type and character which shall be best suited for each locality and to the probable character and extent of the future traffic."

In so far as the maintenance of federal aid roads is concerned, the actual duty of maintenance is imposed by section 38, chapter 237, 38th G. A., upon the county boards of supervisors under the patrol system provided by chapter 316, acts of the 37th General Assembly, and is required to be done to the satisfaction of the state highway commission and paid for out of the county's allotment of the primary road fund. If a county fails to maintain a federal aid road the state highway commission is then vested with power to assume charge of such maintenance and pay therefor out of the county's allotment of the primary road fund. Section 14 of the federal highway act, pertaining to the question of maintenance of roads improved with federal aid, reads, in part, as follows:

"Sec. 14. That should any state fail to maintain any highway within its boundaries after construction or reconstruction under the provisions of this act, the secretary of agriculture shall then serve notice upon the state highway department of that fact, and if within ninety days after receipt of such notice said highway has not been placed in proper condition of maintenance, the secretary of agriculture shall proceed immediately to have such highway placed in a proper condition of maintenance and charge the cost thereof against the federal funds allotted to such state, and shall refuse to approve any other project in such state, except as hereinafter provided.

"Upon the reimbursement by the state of the amount expended by the federal government for such maintenance, said amount shall be paid into the federal highway fund for reapportionment among all the states for the construction of roads under this act, and the secretary of agriculture shall then approve further projects submitted by the state as in this act provided."

This department very seriously doubts if satisfactory maintenance of federal aid projects can be obtained under the existing provisions of the state law. The question of maintenance is of paramount importance, and the fact that congress so considers it is evidenced by the stringent provision contained in the portion of section 14 of the federal highway act above quoted, which is to insure that roads improved with federal aid shall be satisfactorily maintained.

In view of the foregoing, this department felt that it could not approve the certificate submitted by you. However, it is believed that congress contemplated that there might be states whose existing laws would prevent full compliance with the federal highway act in some respects, and, therefore, made provision by the enactment of section 24 of the act for federal co-operation for a limited period with such states in order that they might have an opportunity to change their laws in such particulars as might be necessary. Section 24 was amended by section 4, paragraph 5, of the act approved June 19, 1922, making appropriations for the post office department for the fiscal year ending June 30, 1923, and, as amended, reads as follows:

"Sec. 24. That in any state where the existing constitution or laws will not permit the state to provide revenues for the construction, reconstruction, or maintenance of highways, the secretary of agriculture shall continue to approve projects for said state until five years after November 9, 1921, if he shall find that said state has complied with

the provisions of this act in so far as its existing constitution and laws will permit."

Applying the provisions of the above section to conditions as they exist in Iowa, it appeared to this department that while the certificate, for the reasons given, could not be accepted and approved for transmittal to the secretary of the treasury, a finding might be made that the state of Iowa had complied with the provisions of the federal highway act "in so far as its existing constitution and laws will permit," and that this department, therefore, might continue to approve projects for the period specified by law from November 9, 1921. Accordingly, on May 6, 1922, such a finding was made and immediately communicated to the secretary of the treasury, with request that the federal aid funds allotted to the state of Iowa be made available to the state for the statutory period specified.

It is suggested that steps should be taken promptly to have the existing laws of the state changed so as to enable it to meet the requirements of the federal highway act on or before the expiration of the period during which this department is authorized by law to continue to approve projects, thus permitting a continuance of federal aid co-operation thereafter. Sincerely yours,

Henry C. Wallace, Secretary.

August 21, 1922.

Hon. Henry C. Wallace, Washington, D. C.

My dear Mr. Secretary: I am in receipt of your letter of the 17th instant, and frankly I was amazed at its contents. Of course the failure of Iowa to enact suitable legislation to cooperate with the federal government in the construction of highways was from inadvertence or oversight. I will proceed at once to have the difficulty corrected by the next General Assembly.

Always with assurance of my high consideration, I am, very truly yours,
N. E. Kendall.

Department of Agriculture, Washington,
November 24, 1922.

Hon. N. E. Kendall, Governor of Iowa, Des Moines, Iowa.

Dear Governor Kendall: Under date of August 17, 1922, I addressed to you a letter formally advising you that this department did not feel that it could approve the certificate executed by you on February 2, 1922, to comply with section 10 of the federal highway act, but that a finding had been made that the state had complied with the provisions of said act in so far as its existing constitution and laws will permit, and that this department, therefore, might continue to approve projects for the period specified in section 24 of the federal highway act as amended by section 4, paragraph 5, of the act approved June 19, 1922 (Public No. 244, 67th Congress). Receipt of this letter was acknowledged by you under date of August 21.

Occasion has since arisen for giving further consideration to the maintenance provisions of the existing highway laws of Iowa, and it is noted that while under the provisions of section 38 of chapter 237, 38th General Assembly, the duty of maintaining primary roads outside of towns is imposed upon the county boards of supervisors under the patrol system provided by chapter 316 of the acts of the 37th General Assembly and is required to be done to the satisfaction of the State Highway Commission and paid for out of the county's allotment of the primary road fund, yet it is only when the county fails to maintain a "hard surfaced" road that the state highway commission is vested with power to assume charge of such maintenance and have the same performed and pay therefor out of the county's allotment of the primary road fund. By the provisions of the above act (6th paragraph, section 6, chapter 237, 38th General Assembly) a county is given the right after draining and grading its primary system of roads, or any division thereof, to surface same with gravel or oil or both if by resolution of the board of supervisors it elects so to do, and such graveling or oiling shall not be considered "hard surfacing" within the meaning of the act. Of the mileage of federal aid roads embraced in Iowa federal aid projects about 85 per cent are earth or gravel, and, consequently, would not be construed as "hard surfaced" roads within the meaning of the Iowa law. This being so, the maintenance would be left entirely with the county boards of supervisors and the state highway commission would have no authority to intervene and assume charge thereof should the county boards in any instance fail to properly maintain any such road.

On page 1 of my letter of August 17 the statement is made that * * * it appears that the state has a state highway commission suitably equipped and organized to constitute a highway department, as that term is defined in the federal highway act, except that the commission is not empowered * * * to maintain federal aid roads after construction unless the county boards of supervisors should fail to maintain such roads." Then again on page 3 there appears the statement that "If a county fails to maintain a federal aid road the state highway commission is then vested with power to assume charge of such maintenance and pay therefor out of the county's allotment of the primary road fund."

In view of the fact that so large a percentage of the mileage embraced in Iowa federal aid projects is earth or gravel roads which are declared by the state law to not constitute "hard surfacing," the statements above quoted from my letter of August 17th were too broad. It would appear that the Iowa law in reality gives the state highway commission no authority whereby it may compel the maintenance of a federal aid project improved by grading and draining or by placing thereon a surfacing of gravel or oil. For this reason, I have thought it well to again communicate with you and supplement my former letter by calling attention to the fact that the further consideration recently given the Iowa law discloses that the maintenance provision is even less adequate

to meet the requirements of the federal highway act than was thought at the time the letter of August 17, 1922 was prepared, and to suggest that appropriate change in the maintenance provisions of the existing highway law of the State be included in any amendments made with a view to meeting the requirements of the federal statute.

Sincerely yours,
Henry C. Wallace, Secretary

November 27, 1923.

Hon. Henry C. Wallace, Washington, D. C.

My dear Mr. Secretary: I am in receipt of your letter of the 24th instant, and I thank you for again writing me on the subject to which it refers. I will confer further with the Iowa highway commission and advise you.

Always with the assurance of my highest consideration, I am, very truly yours,

N. E. Kendall.

By unanimous consent on request of Senator Stoddard, the report by the Auditor of State on appropriations was ordered printed in the Journal.

The following estimates of expenditures for salaries during the biennial period beginning July 1, 1923, are based on authorizations of the Thirty-ninth General Assembly plus additional employees and increased compensations allowed by the retrenchment and reform committee. Neither the contingent funds previously included in the salary act, nor salaries payable from special funds, are included:

Attorney General	\$ 56,000.00
Auditor of State	55,000.00
Board of Agriculture	2,400.00
Board of Conservation	2,400.00
Board of Control	105,640.00
Board of Education	36,000.00
Board of Health	41,000.00
Board of Parole	23,600.00
Bureau of Labor	32,800.00
Clerk of Supreme Court	18,000.00
Commerce Counsel	25,000.00
Custodian	121,000.00
Dairy and Food	131,000.00
Executive Council	46,760.00
Fire Marshal	19,600.00
Geological Survey	3,200.00
Governor	29,600.00
Historical Department	69,800.00
Industrial Commission	31,400.00
Insurance Department	58,440.00
Library Commission	32,260.00
Mine Inspection	20,200.00
Oil Inspection	69,200.00
Pharmacy Commission	4,200.00
Railroad Commission	75,000.00
Reporter of Supreme Court	18,800.00
Secretary of State	50,600.00
State Library	31,000.00
Superintendent of Public Instruction	45,200.00
Supreme Court	107,640.00
Treasurer of State	65,240.00
Veterinary Surgeon	10,800.00

Total \$1,441,780.00

The following continuing *annual appropriations* will remain in force unless repealed or amended by the Fortieth General Assembly:.

Department and Purpose	Code or Session Law	Compiled Code	Amount
ATTORNEY GENERAL			
Salary and Expense, Special Peace Officers	231-1-37	9059	\$ 37,500.00
BACTERIOLOGICAL LABORATORY			
Salaries and Expense	SS 2575-a9	S 2354	15,000.00
BOARD OF AGRICULTURE			
Support of Office	S 1657-t	1625	2,400.00
Insurance and Improvement of Bldgs.	S 1657-t	1625	1,000.00
BOARD OF CONTROL			
Tuberculosis Expense	S 2727-a89	1938	5,000.00
Inspection of Hospitals	S 3260-n	2140	3,000.00
Consulting Architect—Expense of	2121-a23	S 1872	1,500.00
Quarterly Conference—Expense	S 2727-a69	1879	250.00
BOARD OF HEALTH			
Contingent and Expense	388-1-33	1266	10,000.00
Antitoxin Dept.—Expense	S 2572-d	S 1310	2,000.00
Vital Statistics—Salary and Expense	222-24-39	S 1376-a24	10,000.00
Housing Dept. Sanitary Investigation Exp.	388-2-33	1267	5,000.00
BUREAU OF LABOR			
Traveling Expense	S-2477	S- 881	4,000.00
COMMISSION OF ANIMAL HEALTH			
Salaries and Expense	287-17-33	S-1734	250,000.00
CUSTODIAN			
DAIRY AND FOOD			
Expense	SS-4969-a31f	1443	40,000.00
ENTOMOLOGIST			
Per Diem and Expense	SS-2375-a52	2430	4,500.00
FARMERS INSTITUTE			
State Aid	S-1675	1645	7,425.00
FIRE MARSHAL			
Expense, Travelling Expense and Fees	S-2463-p	S-1053	6,500.00
G. A. R.			
Support	178-30	338	750.00
GEOLOGICAL SURVEY			
Expense	S-2502	2793	8,000.00
HISTORICAL SOCIETY			
Permanent Support	S-2832-c	2778	20,000.00
Additional Permanent Support	252-1-37	2750	4,000.00
Additional Permanent Support	294-1-39	S 2781-a1	20,506.00
HORTICULTURAL SOCIETY			
Support	S-1673	1695	4,000.00
INDUSTRIAL COMMISSION			
Contingent and Expense	S-2477-m23	S- 832	5,000.00
INSURANCE DEPARTMENT			
Contingent and Expense	S-1683-r2	S-5462	1,000.00
LIBRARY COMMISSION			
Expense	235-1-39	S-2775	12,000.00
MINE INSPECTORS			
Office Expense (Dist. No. 1)	S 2482	731	180.00
Expense (Dist. No. 2)	S-2482	731	180.00
Expense (Dist. No. 3)	S-2482	731	180.00
NATIONAL GUARD			
Support	SS-2215-142	S- 330	265,000.00
OIL INSPECTION			
Travelling Expense	SS-2507	S- 903	20,006.00
PHARMACY COMMISSION			
Expense	S-2594	1424	2,000.00
POULTRY ASSOCIATION			
Country Shows—State Aid	963-2-37	1684	9,900.00
State Show—State Aid	363-5-37	1687	500.00
RAILROAD COMMISSION			
Expense	309-1-39	S-5044-a1	30,000.00
RELIEF			
Frederick M. Hull	129-25	-----	240.00
Joseph Metz	117-1-1876	-----	240.00
REPORTER SUPREME COURT			
Assistance and Clerical Help	SS- 224-m	S- 175	8,000.00
SECRETARY OF STATE			
Blue Sky Contingent (189-5-39)	SS-1920-u27	S-5489-a1	1,250.00
STATE LIBRARY			
Historical Department Expense	S-2881-c	2764	6,000.00
Law and Legislative Ref. Dept. Expense	S-2881-e	2764	6,000.00
Miscellaneous Department—Expense	S-2881-e	2764	6,000.00
Medical Department—Expense	367-2-33	2747	2,000.00
STATE PARKS	236-37	1186	100,060.00

Department and Purpose	Code or Session Law	Compiled Code	Expenditure
SUPERINTENDENT OF PUB. INSTRUCTION			
Teachers Placement Bureau, Add'l Clerical Help	S-2627-c	2268	2,500.00
Normal Training—State Aid and Supervision's Expense	S-2634-b8	2317	150,000.00
Consolidated Schools—State Aid	SS-2794-g	2530	150,000.00
Standard Rural Schools—State Aid	304-8-38	2618	100,000.00
Normal Institute—State Aid	2626	S-2501-a1	4,950.00
TREASURER OF STATE			
Bond Premiums	S-115-a	618	2,000.00
WEATHER AND CROP SERVICE BUREAU			
Salaries	178-7-39	S-1653-a7]	7,500.00
Miscellaneous Clerk Hire	178-7-39	S-1653-a7]	
Miscellaneous Expense	178-7-39	S-1653-a7]	
STATE UNIVERSITY			
Educational Support	305-1-36		454,700.00
College of Applied Science, Liberal Arts, Law, Pharmacy and Medicine	305-1-36		68,350.00
College of Dentistry	305-1-36		23,725.00
College of Education	305-1-36		20,000.00
Graduate College	305-1-36		9,000.00
College of Fine Arts	305-1-36		3,000.00
University Extension	305-1-36		17,000.00
Summer School	305-1-36		16,000.00
Equipment and Supplies	305-1-36		12,500.00
Repair and Contingent	305-1-36		35,000.00
Department of Buildings and Grounds	305-1-36		12,000.00
Administration	305-1-36		6,225.00
Library	305-1-36		17,500.00
Epidemiology Laboratory	305-1-36		5,000.00
COLLEGE OF AGRICULTURE			
Permanent College Support Fund	305-2-36		505,000.00
Summer Session	305-2-36		20,000.00
Two Year and Four Year Courses in Home Economics for Homemakers and Teachers	305-2-36		20,000.00
Subcollegiate Courses in Agriculture, Home Economics and Engineering	305-2-36		54,000.00
Contingent Fund, Repairs and Minor Improvements	305-2-36		46,000.00
Library, Books and Periodicals	305-2-36		5,000.00
Maintenance and Improvement of Public Grounds	305-2-36		10,000.00
Winter Short Courses in Agriculture, Home Economics and Engineering and Trade School Work	305-2-36		9,500.00
Veterinary Practitioners' Courses	305-2-36		2,500.00
Engineering Experiment Station	305-2-36		15,000.00
Good Roads Experimentation	305-2-36		10,000.00
Agricultural Experiment Station	305-2-36		115,500.00
Agricultural and Home Economics Extension	305-2-36		90,000.00
Engineering Extension and Trade Schools	305-2-36		25,000.00
Veterinary Investigations	305-2-36		12,500.00
TEACHERS COLLEGE			
Teachers' Fund	305-3-36		132,500.00
Summer Term Fund	305-3-36		40,000.00
Contingent and Repair	305-3-36		70,000.00
Library	305-3-36		5,000.00
Librarian's Salary Fund	305-3-36		8,500.00
Hospital Fund	305-3-36		2,250.00
Extension Service Fund	305-3-36		19,750.00
COLLEGE FOR THE BLIND			
Support Fund	305-4-36		40,000.00
Repair and Contingent Fund	305-4-36		1,500.00
Oralist Fund	305-4-36		100.00
Total Annual Appropriations Listed Above			
			\$3,321,545.00

Appropriations for the purposes listed below are *unlimited* in amount. The amounts indicated are the estimated expenditures as shown in the biennial report of the Auditor of State, for the fiscal period beginning July 1, 1923, and ending June 30, 1925.

Department and Purpose	Code or Session Law	Compiled Code	Estimated Expenditure
AGRICULTURAL SOCIETY			
State Aid—County and District Fairs	264-3-39	S-1636-a2	\$ 275,000.00
ATTORNEY GENERAL			
Travelling Expense	S-211	S-164	3,500.00
State Agents—Salary and Expense	SS-65-c	9067	25,000.00

Department and Purpose	Code or Session Law	Compiled Code	Estimated Amount
AUDITOR OF STATE			
Inventory Conference Expense on Forms.....	177-7-39	S-683-a10	100.00
County Examiners—State Expense.....	S-100-a	S-132	3,500.00
County Examiners—County Expense.....	S-100-a	S-132	50,000.00*
Municipal Examiners—Per Diem and Exp. S-1056-a11	S-1056-a11	S-135	28,000.00*
Municipal Accounting, Advisory Com. Exp. S-1056-a10	S-1056-a10	127	60.00
BOARD OF ARBITRATION			
Per Diem and Expense.....	S-2477-n8	872	350.00
BOARD OF CONTROL			
Traveling Expense—Members and Employees	S-2727-a4	S-1858	10,000.00*
Commission of Inquiry—Exp. and Comp. 2304	2304	2074	100.00
Non-Res. Insane, Costs and Exp. S-2308-a	S-2308-a	2080	3,600.00
Non-Res. Insane, Removal Exp. S-2283	S-2283	2081	200.00
Trans. of Insane, Expense. S-2727-a280	S-2727-a280	2083	50.00
Escaped Insane, Expense of Return. S-2287	S-2287	2031	1,800.00
State Agents, Expense. 310-S-39	310-S-39	-----	20,000.00
Maintenance of State Roads. S-1532	S-1532	2861	65,000.00
Capture, Restraint and Return of Feeble-Minded 281-2-38	281-2-38	1949	50.00
Paroled Inebriates—Expense of Return. S-2310-a19	S-2310-a19	2008	125.00
BOARD OF EDUCATION			
Members' Per Diem and Expense. 340-14-39	340-14-39	-----	6,000.00
Traveling Expense, Finance Comm. and Assistants 2682-1	2682-1	2327	12,000.00
Instruction of Deaf Children—State Aid. 308-5-37	308-5-37	2633	6,000.00
Compulsory Education of Blind and Deaf Children—Expense 120-5-38	120-5-38	2679	4,000.00
BOARD OF PAROLE			
Members' Per Diem and Expense. 340-34-39	340-34-39	-----	40,000.00
Traveling Expense (Employees). S-5718-a15	S-5718-a15	S-2245	-----
COLLATERAL INHERITANCE TAX			
Court Costs. S-1481-a35	S-1481-a35	4753	200.00
Fees. S-1481-a31	S-1481-a31	4749	50,000.00
1465	1465	4775	7,500.00*
COUNTY REFUND			
DAIRY AND FOOD			
Inspectors' Per Diem. 340-26-39	340-26-39	-----	8,000.00
DISTRICT COURT (JUDGES)			
Traveling Expense. SS-253	SS-253	6938	45,000.00
Traveling Expense (Outside Dist.). S-240-b	S-240-b	6946	1,000.00
EXECUTIVE COUNCIL			
Road Improvement Machinery—Freight and Expense 237-40-39	237-40-39	2948	25,000.00
Members' and Employees' Traveling Exp. S-170-o	S-170-o	267	1,000.00
Special Assistance. S-170-n	S-170-n	266	100.00
Comp. and Trav. Exp. Accountants and Spec. 409-2-38	409-2-38	278	100.00
Survey of Lake Beds—Expense. 112-3-38	112-3-38	-----	1,500.00
Drainage of Lakes. S-2900-a26	S-2900-a26	-----	2,500.00
Investigations, Etc.—Expense. S-170-l	S-170-l	264	25,000.00
Costs, State Cases. S-170-l	S-170-l	254	10,000.00
Improvement of Highways. 207-2-39	207-2-39	S-2264-a2	150,000.00
Boundary Comm.—Comp. and Expense. S-2900-a12	S-2900-a12	6473	500.00
FEDERAL AID ENGINEERING	249-6-37	2907	900,000.00*
GENERAL ASSEMBLY			
GOVERNOR			
Return of Fugitives—Expense of. 5181	5181	9155	200.00
Reward for Arrest and Conviction of Crime 250-1-39	250-1-39	S-98	2,500.00
INHERITANCE TAX			
Refunds. S-1481-a43	S-1481-a43	S-4761	5,000.00
INSURANCE DEPARTMENT			
Examinations (Insurance). S-1821-c	S-1821-c	S-5470	75,000.00*
Examinations (Fraternal). S-1839-e	S-1839-e	S-5576	8,000.00*
Additional Clerks and Assistants. S-1683-r2	S-1683-r2	S-5462	15,000.00
MINE EXAMINERS			
Per Diem and Traveling Expense. 340-30-39	340-30-39	-----	4,500.00
NATIONAL GUARD			
Strike Duty—Expense. 163-3-39	163-3-39	-----	10,000.00†
Compensation for Injury, Expense, Etc. 163-3-39	163-3-39	S-320	3,500.00
PENSIONS			
Northern Border Brigade. 164-37	164-37	S-341	15,000.00
Widow of Survivors. 164-37	164-37	S-341	3,500.00
PHARMACY COMMISSION			
Members' Per Diem and Expense. 340-28-39	340-28-39	-----	5,000.00
PRESIDENTIAL ELECTORS			
PRINTING BOARD			
Salaries. 296-33-39	296-33-39	S-241-a32	26,400.00
Members' Per Diem and Trav. Expense. 296-33-39	296-33-39	S-241-a32	1,500.00
Printing and Binding. 296-33-39	296-33-39	S-241-a32	350,000.00
PRISON BREACH			
Cost and Fees. 4897-b	4897-b	9005	1,000.00
REMOVAL EXPENSE	S-1258-j	656	150.00
REPORTER OF SUPREME COURT			
Preparation of Code Annotations (323-39) 50-14-38	50-14-38	-----	10,000.00

Department and Purpose	Code or Session Law	Compiled Code	Estimated Expenditure
RETRENCH. AND REFORM COMMITTEE			
Per Diem and Expense.....	218-7-39	8-39-a6	5,000.00
REWARD FOR RETURN OF ESCAPED			
PRISONERS.....	5681	2215	1,500.00
SECRETARY OF STATE			
Survey of Abandoned Islands.....	S-2900-a15	6476	2,500.00
SUPERINTENDENT OF PUB. INSTRUCTION			
Travelling Expense.....	2627-h	8-2277	7,000.00
TREASURER OF STATE			
Examiners' Travelling Expense.....	340-5-39		3,500.00
Citation for Examinations.....	39-15-39	S-4743-a1	500.00
UNIVERSITY HOSPITAL			
Care of Indigent Children and Persons.....	SS-254-g	2380	1,245,000.00
WORKMEN'S COMPENSATION			
Re-imbursement to State Employees.....	67-1-37	828	20,000.00
Total listed above.....			\$3,603,085.00
Less amounts not finally chargeable to State Revenue.....			1,068,500.00
Net estimated amount payable from State Revenue.....			\$2,534,585.00

- * Reimbursed by counties and municipalities examined.
- * Includes miscellaneous office expense.
- * Refund of taxes over-remitted, etc.
- * Set aside from Motor Vehicle collections.
- * Reimbursed by companies examined.
- * Contingent on circumstances.

MOTION TO RECONSIDER FILED

I move that the vote by which the resolution and amendments adopted offered by the Senator from Decatur relating to information requested to be furnished by the highway commission passed the Senate be reconsidered.

CHAS. OLSON.

The Journal of January 30th was corrected and approved.

On motion of Senator Kimberly the Senate adjourned until 10 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 1, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. Roy L. Smith, pastor of the Methodist church of Eldora, Iowa.

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

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Browne from M. W. A. No. 161, Maquoketa, protesting the Richmond bill. Insurance.

By Senator Gilchrist from M. W. A. No. 1449, Storm Lake, protesting the Richmond bill. Insurance.

By Senator Brookhart from M. W. A. No. 1892, Charter Oak, protesting the Richmond bill. Insurance.

By Senator Mead from M. W. A. 3109, Tripoli, protesting the Richmond bill. Insurance.

By Senator Scott from the Entre Nous club of Marshalltown, endorsing the teachers' annuity bill. Schools.

By Senator Ethell from the United Mine Workers of Centerville, protesting the proposed repeal of the minimum wage law for teachers. Schools.

By Senator Shinn from teachers of Dunlap schools, protesting the proposed change in the method of selecting county superintendents. Schools.

By Senator Baird from citizens of Council Bluffs endorsing proposed amendments favorable to the Christian Science faith. Public health.

INTRODUCTION OF BILLS

Senate File No. 363, by Senator Price, a bill for an act to repeal section four thousand seven hundred seventy-five (4775) of the code, 1897; section four thousand seven hundred seventy-five-1a (4775-1a), section four thousand seven hundred seventy-five-11a (4775-11a), section four thousand seven hundred seventy-one (4771) of the acts of the Thirty-seventh General Assembly, section four thousand seven hundred seventy-five-4a (4775-4a), section four thousand seven hundred seventy-five-6a (4775-6a), section four thousand seven hundred seventy-five-7a (4775-7a), section four thousand seven hundred seventy-five-8a (4775-8a), section four thousand seven hundred seventy-five-2a (4775-2a), section four thousand seven hundred seventy-five-9a (4775-9a), section four thousand seven hundred seventy-five-5a (4775-5a), section four thousand seven hundred seventy-five-10a (4775-10a), section four thousand seven hundred seventy-five-12a (4775-12a), of the supplement to the code, 1913; section five thousand four (5004) of the code, 1897; section five thousand twenty-eight-p (5028-p) and section five thousand twenty-eight-q (5028-q) of the supplement to the code, 1913, and chapter eighty-seven (87), section one (1) of the acts of the Thirty-seventh General Assembly; (C. C. secs. 8575, 8576, 8577, 8578, 8579, 8580, 8581, 8582, 8583, 8584, 8585, 8586, 8587, 8588, 8589, 8590, 8591, 8592, 8593, 8594, 8595, 8596, 8597, 8598, 8599), relating to concealed weapons, firearms and toy pistols; providing for the issuance of permits upon certain conditions; providing for a registration of dealers, dealers' permits, and reports; providing for the registration of all pistols, revolvers and similar firearms, and providing penalties for a violation of the terms thereof.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 364, by Senator Johnston, a bill for an act requiring mine inspectors to post notice of conditions found in any mine where inspected in the performance of their duty.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Adams for the day, on request of Senator Haskell, on account of illness.

REPORT OF COMMITTEE ON RULES

Senator Bowman, from the joint committee on rules, submitted the following report:

MR. PRESIDENT: Your joint committee on rules of the Fortieth General Assembly respectfully report and recommend that the joint rules of the Thirty-ninth General Assembly be adopted as the joint rules of the Fortieth General Assembly with the following additions:

Rule 19

That final action shall not be taken on any bills providing appropriations (except emergency appropriations, approved by the executive council), until March 1, 1923.

Be It Further Resolved, That all bills carrying appropriations for state educational institutions and the institutions in charge of the board of control shall be introduced not later than February 15th, and that no bills carrying an appropriation for any purpose shall be introduced after March 1st, except by the committee on appropriations.

The following rule shall be applicable to code commissioners' bills.

Rule 20

Odd numbered bills shall first be put upon passage in the Senate, and even numbered bills shall first be put upon passage in the House.

The code revision committee shall report from time to time, suggesting such code commissioners' bills as in its opinion should be given precedence both in the matter of consideration by the several standing committees to which they have been referred, and in the matter of consideration upon the floor of the Senate and House.

The several standing committees to which bills are referred shall be requested and directed to report upon bills recommended for precedence as soon as practicable.

Any rule of the Senate or House requiring standing committees to report on bills within a given time after their reference shall not apply to code commissioners' bills unless so ordered by the Senate and House.

Any standing committee desiring to report on code commissioners' bills other than those recommended by the code revision committee for precedence is requested to report such fact to the code revision committee before reporting out such bills for passage.

M. L. BOWMAN, *Chairman Senate Committee.*

O. A. ONTJES, *Chairman House Committee.*

The report was adopted.

CONCURRENT RESOLUTION

Senator McIntosh offered the following resolution:

Whereas, The thirteenth anniversary of the Boy Scouts of America will be held on the 8th day of February, 1923, and

Whereas, It is the desire of the legislature of the state of Iowa, in conjunction with other legislative bodies, to show our appreciation of

the work done by the Boy Scouts of America in character building and the promotion of good citizenship among the boys and young men of America, therefore,

Be It Resolved by the Senate, the House concurring, That we go into joint session at 11:30 a. m. February 8, 1923, for the purpose of giving brief consideration to this question and hearing an address by the Regional Scout Executive of the Boy Scouts of America.

The resolution was laid over under the rules.

REPORT OF COMMITTEE

Senator Carl W. Reed, from the committee on judiciary No. 1, submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 271, a bill for an act to define the crime of murder in the case of death resulting from the consuming of intoxicating liquor, 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 substitute the following in lieu thereof: "A bill for an act to further define the crime of manslaughter in the case of death resulting from the consuming of intoxicating liquor, relating to title twenty-four (XXIV) of the code of eighteen hundred ninety-seven (1897) (C. C. title XXIII), of crimes and punishments."

Amend by substituting in place of section one (1) of said bill: "Section 1. That title twenty-four (XXIV) of the code of eighteen hundred ninety-seven (1897), relating to crimes and punishments be amended so as to further define the crime of manslaughter."

Amend by substituting section one (1) of said bill as section two (2).

Amend section two (2) by adding after the word, "liquor," in line two (2), the words, "contrary to law."

Amend section two (2) by striking out the words, "murder in the first degree," in line three (3) thereof and by substituting therefor the word, "manslaughter."

CARL W. REED, Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 274, a bill for an act to legalize the incorporation, including the notice of incorporation and the publication thereof, and corporate acts and proceedings of the Graettinger Tile Works of Graettinger, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

CARL W. REED, Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 259, a bill for an act to amend, revise and codify

section six hundred eighty-four (684) to six hundred eighty-eight (688), inclusive, of the compiled code of Iowa, and sections six hundred ninety-three-a one (693-a-1) to six hundred ninety-three-a five (693-a-5), inclusive, and section one hundred two (102) of the supplement to said code, relating to the appointment, powers, and duties of commissioners in other states, and to the fees to be collected by the secretary of state, beg leave to report they have had the same under consideration and recommend the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate Joint Resolution No. 2, a bill for an act proposing an amendment to section one (1) of article VII of the constitution of the state of Iowa, relating to extending the credit of the state, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the words "the people" from line three of the proposed amendment, and inserting the following in lieu thereof: "resident citizens".

Amend by inserting after the word "security" in line three of said proposed amendment, the words, "located in the state of Iowa".

CARL W. REED, *Chairman*.

Ordered passed on file.

CONCURRENT RESOLUTION ON RULES

Senator Bowman offered the following resolution:

Be It Resolved by the Senate, the House concurring, That the joint rules of the Senate and House, as found in the rules of procedure of the Thirty-ninth General Assembly, as modified and amended by the report of the joint committee on rules reported to the Senate on February 1st and found on page 347 of the Senate Journal, and reported to the House on the same date and found on page 375 of the House Journal, be and the same are hereby adopted as the joint rules of the Fortieth General Assembly.

By unanimous consent the resolution was taken up and considered. Senator Bowman moved its adoption.

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

Ayes, 41

Abben

Baird

Bowman

Brookhart

Brookins

Browne

Buser

Caldwell

Campbell

Chase

Dutcher

Ethell

Fulton

Gilchrist

Hale

Hartman

Haskell

Holdoegel

Horchem

Johnston

Kimberly

McIntosh

Mantz

Mead

Nelson

Newberry

Olson

Perkins

Price

Reed

Rees

Romkey

Scott

Shaff

Shane

Shinn

Slosson

Snook

Stoddard

Tuck

Wichman

Nays, none.

Absent or not voting, 9

Adams
Banta

Bergman
Cessna

Darting
Goodwin

Smith
Thurston
White

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

Senator Smith moved that the printing board be requested to bind in cloth five hundred copies of the tax commission report. Carried.

REPORT OF COMMITTEE ON RULES

Senator Bowman, from the committee on rules, submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee on rules of the Fortieth General Assembly recommends that the rules of the Senate of the Thirty-ninth General Assembly be made the rules of the Senate of the Fortieth General Assembly with the following addition:

RULE 45

Code revision bills shall have precedence over all other bills up to and including February 1, 1923. From and after February 1, general legislation shall have precedence over code revision bills, except, that when there is no regular legislation ready for the action of the Senate or when by a majority vote the Senate does so order, code revision bills may be taken up and considered and acted upon by the Senate.

Add to Rule 30 the following: No code commission bill shall be acted upon by the Senate the same day it is reported upon by the committee to whom it was referred.

M. L. BOWMAN, *Chairman*.

The report was adopted.

The Journal of January 31st was corrected and approved.

On motion of Senator Goodwin the Senate adjourned until 10 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 2, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. E. C. Brooks, of North English, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committee.

By Senator Newberry from the McGregor Tourists Club endorsing the teachers' annuity bill. Schools.

By Senator Scott from the Parent-Teachers Association of Rogers school, Marshalltown, endorsing the teachers' annuity bill. Schools.

By Senator Stoddard from Sioux City Kiwanis club endorsing the teachers' annuity bill. Schools.

By Senator Shane from the teachers of Ottumwa in opposition to the repeal of the minimum wage law. Schools.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stoddard for the day, on request of Senator Perkins; Senator Hale for today and Saturday, on request of Senator Reed; Senator Horchem for the day, on request of Senator Baird; Senator Adams for today and Saturday, on request of Senator Haskell.

Senator Ethell moved that rule 33 be suspended for the day and asked for a division vote. Motion lost.

On request of Senator Banta one hundred extra copies of Senate Files Nos. 318 and 327 were ordered printed.

INTRODUCTION OF BILLS

Senate File No. 365, by Senator Kimberly, a bill for an act repealing section two thousand seven hundred twenty-seven-a forty-three (2727-a43) supplement to the code, 1913 (C. C. 1889) relating to the disbursement of funds for institutions under the state board of control, and to enact a substitute therefor.

Read first and second times and referred to committee on board of control.

Senate File No. 366, by Senator Banta, a bill for an act to amend section twenty-two hundred and fifty-eight (2258) of the code, 1897, (C. C. 2020); section twenty-seven hundred twenty-seven-a ninety-six (2727-a96), supplemental supplement to the code, (C. C. 1980); chapter seventy-five (75), acts of the Thirty-eighth General Assembly, (C. C. 1884); section twenty-seven hundred and twenty-seven-a seventy-six (2727-a76), supplement to the code, 1913. (C. C. 1931); section twenty-seven hundred and twenty-seven-a thirty-eight (2727-a38), supplement to the code, 1913, (C. C. 1883); relating to salaries and perquisites of certain officials in institutions under the management of the state board of control.

Read first and second times and referred to committee on board of control.

Senate File No. 367, by Senator Buser, a bill for an act to amend the law as it appears in section nine (9) of chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly, (C. C. sec. 2917), limiting the authority of the highway commission as to the change of the location of primary roads.

Read first and second times and referred to committee on highways.

Senate File No. 368, by Senator Tuck, a bill for an act relating to the levying of a tax to be known as the county general fund.

Read first and second times and referred to committee on ways and means.

Senate File No. 369, by Senator Tuck, a bill for an act to amend section three hundred thirty-seven (337) of the supplement to the code of Iowa, 1913, (C. C. 6997) relating to the selection of jury lists.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 370, by Senator Darting, a bill for an act to establish and locate three additional normal training schools, and make appropriations for purchase of sites, erection of buildings and support of such schools.

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

Senate File No. 371, by Senator Campbell, a bill for an act to permit and authorize the filing of notices of liens for taxes in favor of the United States of America.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 372, by Senator Perkins, a bill for an act to provide for paying from the general funds of the state compensation for all injuries or death of any law enforcing officer injured or killed while in line of duty or from causes arising out of or sustained from their official employment except policemen pensioned under the policemen's pension fund.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 373, by Senator Smith, a bill for an act to repeal chapter thirty-seven (37) of the acts of the Thirty-ninth General Assembly (C. C. Sup, chap. 12-A, title XIII) relating to the maintenance and employment of a band for musical purposes.

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

REPORTS OF COMMITTEES

Senator Browne, from the committee on horticulture and forestry, submitted the following report:

MR. PRESIDENT: Your committee on horticulture and forestry to whom was referred Senate File No. 67, a bill for an act to amend, revise and codify sections sixteen hundred ninety-five (1695), seventeen hundred one (1701), seventeen hundred five (1705), seventeen hundred eleven (1711) of the compiled code of Iowa, and sections sixteen hundred ninety-three (1693), sixteen hundred ninety-four (1694), sixteen hundred ninety-eight-a two (1698-a2) and sixteen hundred ninety-eight-a three (1698-a3) of the supplement to said code, relating to the horticultural society, the annual state horticultural exposition, and fruit tree and forest reservations, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

CHARLES S. BROWNE, *Chairman.*

Ordered passed on file.

Senator Buser, from the committee on agriculture, submitted the following report:

MR. PRESIDENT: Your committee on agriculture to whom was referred Senate File No. 293, a bill for an act to repeal the law as the same appears in article five (5), section sixteen hundred eighty-three-c (1683-c) supplement to the code, 1913 (C. C. Sec. 1656) enacting a substitute therefor and by striking out and repealing the law in part, etc., relating to farm aid and associations, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. D. BUSER, *Chairman*.

The report was adopted and the bill indefinitely postponed.

On motion of Senator Price the vote by which the report was adopted was reconsidered.

Senator Johnston invoked rule 8.

On the question, "Shall the report of the committee be adopted?" the vote was:

Ayes, 34.

Abben	Caldwell	Holdoegel	Shane
Baird	Campbell	Kimberly	Shinn
Banta	Cessna	Mantz	Slosson
Bergman	Chase	Mead	Stoddard
Bowman	Darting	Newberry	Thurston
Brookhart	Fulton	Perkins	Tuck
Brookins	Goodwin	Reed	White
Browne	Hartman	Scott	
Buser	Haskell	Shaff	

Nays, 10

Ethell	McIntosh	Rees	Snook
Gilchrist	Nelson	Romkey	
Johnston	Price	Smith	

Absent or not voting, 6.

Adams	Hale	Olson	Wichman
Dutcher	Horchem		

The report was adopted and the bill was indefinitely postponed.

Senator Haskell, 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. 308, a bill for an act to amend section one (1) of chapter two hundred thirty (230) of the acts of the Thirty-ninth General Assembly (C. C. supplement section 3922-a1), relating to the payment of cost of paving extensions of primary roads within cities and to extend the provisions thereof to include other cities, beg leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to whom was referred Senate File No. 159, a bill for an act relating to municipal corporations—park tax, beg leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to whom was referred Senate File No. 181, a bill for an act relating to municipal corporations—policemen's and firemen's pension funds, beg leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports it has examined and finds correctly enrolled Senate File No. 1.

F. G. GILCHRIST, *Chairman Senate Committee*.

C. F. LETTS, *Chairman House Committee*.

Report 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. 233, a bill for an act to amend, revise and codify section seven thousand six hundred fourteen (7614) of the compiled code of Iowa, relating to costs.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 204, a bill for an act to amend, revise and codify section fifty-eight hundred ninety-seven (5897) of the compiled code of Iowa, relating to the consideration of written contracts.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 80, a bill for an act to amend, revise and codify chapter five (5) of title twenty-three (23) of the compiled code of Iowa, relating to landlord and tenant.

Also, 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 amend section two hundred twenty-seven (227) supplemental supplement to the code, 1915, (C. C. 6937), and to provide an additional judge for the twelfth judicial district.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 244, a bill for an act to amend, revise and codify section eight thousand three hundred sixty-six (8366) of the compiled code of Iowa, relating to the paternity of illegitimate children.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 287, a bill for an act to amend section six (6) of chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly (C. C. Sec. 2914), relating to elections to authorize the hard surfacing of primary roads.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 287, a bill for an act to amend section six (6) of chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly (C. C. sec. 2914), relating to elections to authorize the hard surfacing of primary roads.

Read first and second times and referred to committee on highways.

House File No. 233, a bill for an act to amend, revise and codify section seven thousand six hundred fourteen (7614) of the compiled code of Iowa, relating to costs.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 204, a bill for an act to amend, revise and codify section fifty-eight hundred ninety-seven (5897) of the compiled code of Iowa, relating to the consideration of written contracts.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 244, a bill for an act to amend, revise and codify section eight thousand three hundred sixty-six (8366) of the compiled code of Iowa, relating to the paternity of illegitimate children.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 294, a bill for an act to amend section two hundred twenty-seven (227) supplemental supplement to the code, 1915, (C. C. 6937), and to provide an additional judge for the twelfth judicial district.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 80, a bill for an act to amend, revise and codify chapter five (5) of title twenty-three (23) of the compiled code of Iowa, relating to landlord and tenant.

Read first and second times and referred to committee on judiciary No. 2.

RESOLUTION CONSIDERED

Senator McIntosh called up for consideration the resolution found on pages 347 and 348 of the Senate journal, and moved its adoption.

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

Ayes, 30.

Abben	Browne	Nelson	Shaff
Balrd	Gilchrist	Newberry	Shane
Banta	Goodwin	Olson	Slosson
Banta	Holdoegel	Perkins	Snook
Bergman	Kimberly	Reed	Thurston
Bowman	McIntosh	Rees	Tuck
Brookhart	Mantz	Romkey	Wichman
Brookins	Mead	Scott	

Nays, none.

Absent or not voting, 20.

Adams	Darting	Hartman	Shinn
Buser	Dutcher	Haskell	Smith
Caldwell	Ethell	Horchem	Stoddard
Campbell	Fulton	Johnston	White
Cessna	Hale	Price	
Chase			

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

THIRD READING OF BILLS

On motion of Senator Thurston, Senate File No. 338, a bill for an act to amend the law as it appears in section four hundred twenty-

eight (428) of the code of eighteen hundred ninety-seven (1897) (C. C. sec. 2827) relating to the powers of the board of supervisors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Thurston offered the following amendment:

Amend by striking out commencing with the word "and" in line nine (9) and ending with the word "appointed" in line ten (10) of section one (1).

On motion of Senator Thurston the bill was rereferred to the committee on county and township affairs.

On motion of Senator Bowman, Senate Joint Resolution No. 2, a joint resolution proposing an amendment to section one (1) of article VII of the constitution of the state of Iowa, relating to extending the credit 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 the words "the people" from line three of the proposed amendment, and inserting the following in lieu thereof: "resident citizens".

Amend by inserting after the word "security" in line three of said proposed amendment, the words, "located in the state of Iowa".

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking out of line six (6) the word "rural" and by inserting in line seven (7) between the words "upon" and "real" the word "rural".

The amendment was adopted.

On motion of Senator Shane, Senate Joint Resolution No. 2 was made a special order of business for 1:30 p. m., February 15th.

On motion of Senator Reed, Senate File No. 259, a bill for an act to amend, revise and codify section six hundred eighty-four (684) to six hundred eighty-eight (688), inclusive, of the compiled code of Iowa, and sections six hundred ninety-three-a one (693-a-1) to six hundred ninety-three-a five (693-a-5), inclusive, and section one hundred two (102) of the supplement to said code, relating to the appointment, powers, and duties of commissioners in other states, and to the fees to be collected by the secretary of state, with

report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Ethell moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39

Abben	Cessna	Johnston	Scott
Baird	Chase	Kimberly	Shane
Banta	Darting	McIntosh	Shinn
Bergman	Ethell	Mantz	Slosson
Brookhart	Fulton	Nelson	Smith
Brookins	Gilchrist	Newberry	Snook
Browne	Goodwin	Olson	Thurston
Buser	Hartman	Perkins	Tuck
Caldwell	Haskell	Reed	Wichman
Campbell	Holdoegel	Romkey	

Nays, none

Absent or not voting, 11

Adams	Hale	Price	Stoddard
Bowman	Horchem	Rees	White
Dutcher	Mead	Shaff	

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

On motion of Senator Reed, House File No. 274, a bill for an act to legalize the incorporation, including the notice of incorporation and the publication thereof, and corporate acts and proceedings of the Graettinger Tile Works of Graettinger, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

On motion of Senator Wichman, further action on House File No. 274 was deferred.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate Senate File No. 1.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports it has on this 2d day of February, 1923, sent to the Governor for his approval Senate File No. 1.

F. C. GILCHRIST, *Chairman*.

Report adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator McIntosh for the afternoon, on request of Senator Gilchrist; Senator Darting for the afternoon, on request of Senator Haskell.

THIRD READING OF BILLS

On motion of Senator Reed, Senate resumed consideration of House File No. 274.

Senator Reed offered the following amendment and moved its adoption:

Amend by inserting after the word "proceedings" in line 5 the words "relating to the incorporation".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 31

Abben	Campbell	Mantz	Shinn
Baird	Chase	Nelson	Slosson
Banta	Fulton	Olson	Snook
Bergman	Gilchrist	Perkins	Thurston
Brookhart	Hartman	Reed	Tuck
Brookins	Haskell	Rees	White
Buser	Johnston	Scott	Wichman
Caldwell	Kimberly	Shane	

Nays, none

Absent or not voting, 19

Adams	Dutcher	Horchem	Romkey
Bowman	Ethell	McIntosh	Shaff
Browne	Goodwin	Mead	Smith
Cessna	Hale	Newberry	Stoddard
Darting	Holdoegel	Price	

The amendment having received a constitutional majority was declared to have been adopted by the Senate.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 28

Abben	Buser	Johnston	Scott
Baird	Caldwell	Kimberly	Shane
Banta	Cessna	Mantz	Slosson
Bergman	Chase	Perkins	Snook
Brookhart	Fulton	Reed	Thurston
Brookins	Gilchrist	Rees	Tuck
Browne	Hartman	Romkey	White

Nays, none

Absent or not voting, 22

Adams	Goodwin	Mead	Shinn
Bowman	Hale	Nelson	Smith
Campbell	Haskell	Newberry	Stoddard
Darting	Holdoegel	Olson	Wichman
Dutcher	Horchem	Price	
Ethell	McIntosh	Shaff	

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 by inserting after the word "proceedings" the words "relating to the incorporation."

On the question "Shall the amendment to the title be adopted?" the vote was:

Ayes, 29

Abben	Browne	Johnston	Scott
Baird	Buser	Kimberly	Shane
Banta	Caldwell	Mantz	Slosson
Bergman	Campbell	Nelson	Snook
Bowman	Fulton	Perkins	Thurston
Brookhart	Gilchrist	Reed	Tuck
Brookins	Hartman	Romkey	White
			Wichman

Nays, none

Absent or not voting, 21

Adams	Goodwin	Mead	Shinn
Cessna	Hale	Newberry	Smith
Chase	Haskell	Olson	Stoddard
Darting	Holdoegel	Price	
Dutcher	Horchem	Rees	
Ethell	McIntosh	Shaff	

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Caldwell Senate File No. 271, a bill for an act to define the crime of murder in the case of death resulting from the consuming of intoxicating liquor, 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 title and substituting the following in lieu thereof: "A bill for an act to further define the crime of manslaughter in the case of death resulting from the consuming of intoxicating liquor, relating to title twenty-four (XXIV) of the code of eighteen hundred ninety-seven (1897) (C. C. title XXIII), of crimes and punishments."

Amend by substituting in place of section one (1) of said bill: "Section 1. That title twenty-four (XXIV) of the code of eighteen hundred ninety-seven (1897), relating to crimes and punishments be amended so as to further define the crime of manslaughter."

Amend by substituting section one (1) of said bill as section two (2).

Amend section two (2) by adding after the word, "liquor," in line two (2), the words, "contrary to law."

Amend section two (2) by striking out the words, "murder in the first degree," in line three (3) thereof and by substituting therefor the word, "manslaughter."

The bill was read for information.

By unanimous consent section 2 was renumbered as section 3.

Senator Caldwell moved that the reading just had be considered the third reading, which motion prevailed.

Senator Kimberly invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 34

Abben	Campbell	Kimberly	Shinn
Baird	Cessna	Mantz	Slosson
Banta	Chase	Newberry	Snook
Bergman	Ethell	Perkins	Thurston
Bowman	Fulton	Rees	Tuck
Brookhart	Gilchrist	Romkey	White
Brookins	Hartman	Scott	Wichman
Browne	Haskell	Shaff	
Caldwell	Johnston	Shane	

Nays, 1

Nelson

Absent or not voting, 15

Adams	Goodwin	McIntosh	Reed
Buser	Hale	Mead	Smith
Darting	Holdoegel	Olson	Stoddard
Dutcher	Horchem	Price	

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

On the motion of Senator Haskell Rule 33 was suspended for the afternoon.

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. 227, a bill for an act to amend, revise and codify section seven thousand one hundred forty-eight (7148) of the compiled code of Iowa, relating to the place of bringing actions.

HOUSE AMENDMENT

Amend section 1 by inserting after the word "drainage" in line three thereof the words "or highway".

A. C. GUSTAFSON, *Chief Clerk*.

INTRODUCTION OF BILLS

Senate File No. 374, by Senator Kimberly, a bill for an act making an appropriation to reimburse the chair and furniture industry located at the State Penitentiary, Fort Madison, Iowa, for chairs purchased for the committee clerks in the Thirty-eighth General Assembly, as authorized by the Senate concurrent resolution dated March 22, 1919.

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

Senate File No. 375, by Senator Buser, a bill for an act to require the auditor of state to examine and audit the accounts and business affairs of the board of agriculture, the board of education and the highway commission and all departments and institutions under their control, and to authorize the executive council to direct and control the manner of keeping accounts.

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

Senate File No. 376, by Senator Baird, a bill for an act to amend section thirteen hundred eighty-seven (1387) of the code (C. C. 4610), relating to the annual tax list.

Read first and second times and referred to committee on ways and means.

AMENDMENTS FILED

February 2, 1923.

MR. PRESIDENT:

I move to amend Senate File No. 309 by adding after the word "treasury" in line 12, of paragraph 2, the following: "according to the provisions of this act".

Also amend by striking from line 13 of said paragraph the words "and the treasurer of any county".

Also amend by striking from line 15 of said paragraph, the words "or any county treasurer".

Also amend by striking from lines 21, 22, and 23, beginning after the word "treasurer" in line 21, the following: "of not more than one million five hundred thousand dollars (\$1,500,000.). When such cash balance becomes less than one million dollars (\$1,000,000)" and inserting in lieu thereof the following "including all funds and moneys received by him from other sources and properly a part of the general fund, of not more than three million dollars (\$3,000,000). When such cash balance shall become less than two million dollars (\$2,000,000)".

J. D. BUSER.

The Journal of February 1st was corrected and approved.

On motion of Senator Buser the Senate adjourned until 10 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 3, 1923.

Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. L. H. H. Winter, pastor of Crocker Hill M. E. church, Des Moines.

On motion of Senator Mead rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Newberry from teachers of the Luana public schools protesting the proposed repeal of the teachers minimum wage law. Schools.

By Senator Holdoegel from the teachers' council of Fort Dodge protesting the proposed repeal of the teachers minimum wage law. Schools.

By Senator Shinn from the teachers of Dunlap, protesting the proposed repeal of the teachers' minimum wage law. Schools.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Darting for the day on request of Senator Haskell; Senator Romkey for the day on request of Senator Price; Senator Perkins for the day on request of Senator Haskell; Senator Smith for the day on request of Senator Haskell; Senator Scott for the day on request of Senator Hartman; Senator Stoddard for the day on request of Senator Abben; Senator Dutcher for the day on request of Senator Banta; Senator Hale for the day on request of Senator Price; Senator Olson for the day on request of Senator Banta; Senator Horchem for the day on request of Senator Baird; Senator Bowman for the day on request of Senator Gilchrist.

INTRODUCTION OF BILLS

Senate File No. 377, by Senator Bergman, a bill for an act to repeal section three thousand eight hundred seventy-two (3872)

of the code (C. C. 7633) as amended by chapter two hundred seventy-five (275) of the acts of the Thirty-ninth General Assembly and to enact a substitute therefor, relating to the taxation of jury fees as part of the costs.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 378, by Senator Bergman, a bill for an act to amend section four hundred forty-one (441) of the supplemental supplement to the code, 1915, relating to selection of official newspapers.

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

Senate File No. 379, by Senator Brookhart, a bill for an act to amend section four thousand forty-five (4045) of the code (C. C. Sec. 7739), relating to the redemption and possession of property sold under execution.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 380, by Senator Brookhart, a bill for an act to amend section sixteen hundred fourteen-e (1614-e), supplement to the code, 1913, (C. C. Sec. 5338), and to enact a substitute therefor relating to an annual fee to be paid by corporations and providing for the payment by domestic and foreign corporations for profit of an annual franchise tax, defining organizations liable to the tax, and that the funds so collected shall go into the general fund of the state.

Read first and second times and referred to committee on ways and means.

Senate File No. 381, by Senator Fulton, a bill for an act to amend chapter one hundred ninety-one (191), acts of the Thirty-ninth (39th) General Assembly, (S. C. C. 4036-a1, 4036-a2, 4036-a3), relative to poll tax and providing a penalty for non-payment.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 382, by Senator Baird, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Council Bluffs, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 383, by Senator Gilchrist, a bill for an act to legalize certain warrants issued by the board of supervisors of Pocahontas county, Iowa.

Read first and second times and referred to committee on judiciary No. 1.

SENATE FILE NO. 67 REREFERRED

By unanimous consent on request of Senator Browne, Senate File No. 67 was rereferred to the committee on horticulture and forestry.

REPORT OF COMMITTEE

Senator Reed, 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. 283, a bill for an act to amend section two hundred twenty-seven (227) supplement to the code, 1915, (C. C. 6937), and to provide an additional judge for the twelfth judicial district, beg leave to report they have had the same under consideration and recommend the same do pass.

CARL W. REED, *Chairman.*

Ordered passed on file.

MESSAGES FROM THE HOUSE

The following message was received from the House:

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

Senate File No. 83, a bill for an act to amend, revise and codify sections sixty-five hundred sixty-one (6561) and sixty-three hundred ninety-nine (6399) of the compiled code of Iowa, relating to legalizing deeds and other instruments.

Also that the House has passed the following bills in which the concurrence of the Senate is asked:

House File No. 36, a bill for an act to amend, revise, and codify chapter twenty-four (24) of title four (4) of the supplement to the compiled code of Iowa, relating to the right of soldiers, sailors, marines and nurses to preference in appointment to office.

Also that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 2, a bill for an act to amend, revise, and codify sections

four (4) to eight (8), inclusive, and forty-nine hundred sixty-two (4962) of the compiled code of Iowa, relating to the acquisition by the United States of lands in this state.

Also, 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 amend section four thousand seven hundred fifty-four (4754) of the code (C. C. 8671) relating to the punishment for the crime of robbery.

Also, that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 311, a bill for an act to amend section three hundred thirty-three (333) of the supplement to the code, 1913, (C. C. section 6990) relating to exemption from jury service.

Also, 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 amend, revise and codify section ninety-five hundred sixty-two (9562) of the compiled code of Iowa, relating to appeals in criminal cases.

Also, that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 150, a bill for an act to amend, revise and codify sections thirty-four hundred one (3401) to thirty-four hundred eight (3408), inclusive, and sections thirty-four hundred eleven (3411), thirty-four hundred fourteen (3414), thirty-four hundred fifteen (3415), thirty-four hundred eighteen (3418), thirty-four hundred twenty (3420), and thirty-four hundred twenty-three (3423) of the compiled code of Iowa, relating to jails.

Also that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 136, a bill for an act to amend, revise, and codify sections thirty-two hundred nineteen (3219) to thirty-two hundred twenty-one (3221), inclusive, thirty-two hundred twenty-five (3225), thirty-two hundred twenty-six (3226), and thirty-two hundred twenty-eight (3228) of the compiled code of Iowa, relating to the coroner.

Also that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 78, a bill for an act to amend, revise and codify chapter three (3) of title twenty-three (23) of the compiled code of Iowa, relating to occupying claimants.

Also that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate concurrent resolution adopting the joint rules of the Fortieth General Assembly.

Also that the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House concurrent resolution providing for printing the joint rules and the rules of the House and the Senate.

Also that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate concurrent resolution for a joint session February 8th to commemorate the thirteenth anniversary of the Boy Scouts of America.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE MESSAGES CONSIDERED

House File No. 36, a bill for an act to amend, revise, and codify chapter twenty-four (24) of title four (4) of the supplement to the compiled code of Iowa, relating to the right of soldiers, sailors, marines, and nurses to preference in appointment to office.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 343, a bill for an act to amend section four thousand seven hundred fifty-four (4754) of the code (C. C. 8671) relating to the punishment for the crime of robbery.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 2, a bill for an act to amend, revise, and codify sections four (4) to eight (8), inclusive, and forty-nine hundred sixty-two (4962) of the compiled code of Iowa, relating to the acquisition by the United States of lands in this state.

Read first and second time and referred to committee on land titles.

House File No. 311, a bill for an act to amend section three hundred thirty-three (333) of the supplement to the code, 1913, (C. C. section 6990) relating to exemption from jury service.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 252, a bill for an act to amend, revise and codify section ninety-five hundred sixty-two (9562) of the compiled code of Iowa, relating to appeals in criminal cases.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 150, a bill for an act to amend, revise and codify sections thirty-four hundred one (3401) to thirty-four hundred eight (3408), inclusive, and sections thirty-four hundred eleven (3411), thirty-four hundred fourteen (3414), thirty-four hundred

fifteen (3415), thirty-four hundred eighteen (3418), thirty-four hundred twenty (3420), and thirty-four hundred twenty-three (3423) of the compiled code of Iowa, relating to jails.

Read first and second time and referred to committee on county and township affairs.

House File No. 136, a bill for an act to amend, revise, and codify sections thirty-two hundred nineteen (3219) to thirty-two hundred twenty-one (3221), inclusive, thirty-two hundred twenty-five (3225), thirty-two hundred twenty-six (3226), and thirty-two hundred twenty-eight (3228) of the compiled code of Iowa, relating to the coroner.

Read first and second time and referred to committee on county and township affairs.

House File No. 78, a bill for an act to amend, revise and codify chapter three (3) of title twenty-three (23) of the compiled code of Iowa, relating to occupying claimants.

Read first and second time and referred to committee on land titles.

RESIGNATION OF COMMITTEE CLERK

The resignation of Lou A. Vogel as committee clerk was presented and accepted.

OFFICIAL PUBLICATION

As required by Chapter 228 of the Acts of the Thirty-ninth General Assembly of the State of Iowa, of a proposed bill for the legalization of the proceedings of the Board of Supervisors of Cerro Gordo County, Iowa, in calling an election authorizing the issuance of bonds in the sum of Fifty Thousand Dollars (\$50,000.00) to pay for the construction of a new County Home building and to legalize said election and all proceedings connected therewith, and to validate said bonds. Said bill so introduced being Senate File No. 282 and House File No. 293.

A BILL FOR

an act to legalize the proceedings of the Board of Supervisors of Cerro Gordo County, Iowa, in calling an election authorizing the issuance of bonds in the sum of Fifty Thousand Dollars (\$50,000.00), to pay for the construction of a new county home building, and to legalize said election and all proceedings connected therewith and to validate said bonds.

WHEREAS, At the general election held on November 2, 1920, a majority of the voters of said county voting at said election, voted in favor of issuing bonds of said Cerro Gordo County, in the sum of Fifty Thousand Dollars (\$50,000.00) for the purpose of erecting and constructing a new County Home Building; and

WHEREAS, Doubts have arisen concerning the validity of the said election and the authority of the Board of Supervisors of Cerro Gordo County, to issue the amount of bonds authorized at said election; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. That the acts and proceedings of the Board of Supervisors of Cerro Gordo County, Iowa, in calling said election and in submitting to the voters of Cerro Gordo County, Iowa, the question of issuing bonds in the sum of Fifty Thousand Dollars (\$50,000.00) for the purpose of erecting and constructing a new County Home Building and all proceedings in relation thereto, be and the same hereby are legalized and validated.

Section 2. That the said bonds of said Cerro Gordo County, in the aggregate amount of Fifty Thousand Dollars (\$50,000.00), so authorized at said election by the voters of said county be and the same hereby are legalized and validated and when delivered to the purchaser thereof shall be the valid, legal and subsisting obligations of said Cerro Gordo County, Iowa.

Section 3. Nothing in this act shall affect pending litigation.

Section 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, a newspaper published in Des Moines, Iowa, and the Mason City Globe-Gazette, a newspaper published in Mason City, Iowa, without expense to the state.

PROOF OF PUBLICATION

State of Iowa, County of Cerro Gordo, ss:

I, W. F. Muse, being duly sworn on oath, do depose and say that I am the President of the Globe-Gazette Printing Company, a corporation, which is the publisher of the Daily Globe-Gazette and Times, and that I am authorized by its Articles of Incorporation to make this affidavit, that The Daily Globe-Gazette and Times is a newspaper published and printed in the English language by The Globe-Gazette Printing Company, in the said city of Mason City, Cerro Gordo County, Iowa, and has a general circulation in the said city and county; that the notice, a true copy of which is hereto affixed, was published in The Daily Globe-Gazette and Times one time, and upon the following days, to-wit:

January 23, 1923.

W. F. Muse.

Subscribed and sworn to before me by W. F. Muse this 25th day of January, 1923.

W. A. WESTFALL,

Notary Public in and for said County.

Printers' Fee, \$9.60.

The Journal of February 2d was corrected and approved.

On motion of Senator Slosson the Senate adjourned until 10 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 5, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. C. C. Harris, of Creston, Iowa.

On motion of Senator Ethell, rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Stoddard from the teachers of the Sioux City grade schools protesting the proposed repeal of the teachers' minimum wage law. Schools.

By Senator Stoddard from the high school teachers of Sioux City protesting the proposed repeal of the teachers' minimum wage law. Schools.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Darting for the day, on request of Senator Mead; Senator Hale for the day, on request of Senator Haskell; Senator Adams for the day, on request of Senator Haskell; Senator Nelson for the day, on request of Senator Wichman; Senator Scott for the day, on request of Senator Hartman; Senator Romkey for the day, on request of Senator Price; Senator Caldwell for the day, on request of Senator Fulton.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate File No. 1.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate House File No. 48.

INTRODUCTION OF BILLS

Senate File No. 384, by Senator Horchem, a bill for an act to provide a state-wide annuity system for teachers in the public schools of the state, to provide for its regulation and define its membership, and the benefits payable thereunder, to provide funds therefor and regulate their investment, to provide for contributions by its members, by employers, and by the state, and for state regulation and protection against fraud.

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

Senate File No. 385, by Senator Wichman, a bill for an act to amend section three thousand two hundred nineteen (3219) of the code (C. C. Sec. 6670), relating to appointment of guardians for drunkards, spendthrifts, and lunatics.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 386, by Senator Wichman, a bill for an act to authorize courts to require security from the husband in cases where alimony or other allowance is ordered for benefit of wife or children, and to authorize punishment for contempt for disobedience to order of court in such matters.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 387, by Senator Perkins, a bill for an act to amend section four (4), chapter two hundred thirty-seven (237), Acts of the Twenty-ninth (29th) General Assembly (C. C. 2912), relating to the distribution of the Primary Road Fund.

Read first and second times and referred to committee on highways.

Senate File No. 388, by Senator Fulton, a bill for an act to repeal chapter two hundred eighteen (218), (S. C. C. 39-a1, 39-a2, 39-a3, 39-a4, 39-a5, 39-a6), Acts of the Thirty-ninth (39th) General Assembly and sections one hundred eighty-two (182) and one hundred eighty-three (183) of the Code, 1897 (C. C. 40, 41), relating to the retrenchment and reform committee, and to vest certain authority exercised by this committee in the executive council.

Read first and second times and referred to committees on departmental affairs.

Senate File No. 389, by Senator Price, a bill for an act to amend section 1373 of the Supplement of the Code of Iowa, 1913 (C. C. 4602), relating to complaint to board of review and appeal.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 390, by Senator White, a bill for an act to prohibit persons, singly or collectively, from wearing masks, hoods, robes and other paraphernalia in various places and under various circumstances, and to prohibit persons, either singly or collectively without authority of law or not in the due course of the enforcement of the rules and regulations of some organization, association or society duly chartered or legally incorporated under the laws of this state from declaring, imposing or administering penalties, or making or enforcing orders against others; and from meeting in disguise to conceal their identities for the purpose, either real or professed of carrying out threats or investigating, discussing or holding pretended hearing or determining the guilt or innocence of any person or persons of any offence or pretended offence against the laws of this or any other state or of the United States of America, and to prevent any private person or persons from usurping, impersonating or assuming the functions, or interfering with the performance of the duties of any judicial, executive or peace officer of the State of Iowa, or of the United States of America, and to provide penalties for the violation of this act, and to provide for exceptions to the provisions hereof.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 391, by Senator Shaff, a bill for an act to repeal the law as it appears in section eleven (11), chapter two hundred seventy-five (275), and all of chapter three hundred seventy (370), acts of the Thirty-eighth General Assembly, as amended by sections one (1) and nineteen (19), chapter one hundred fifty-nine (159), acts of the Thirty-ninth General Assembly (C. C. 3054), and to substitute therefor the following, relating to operators' and chauffeurs' licenses.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 392, by Senator Dutcher, a bill for an act to repeal section fifty-four hundred eighty-four (5484) of the Code

(C. C. Sec. 9464), and to enact a substitute therefor relating to witnesses in the trial of criminal cases.

Read first and second times and referred to committee on judiciary No. 2.

HOUSE RESOLUTION CONSIDERED

Senator Bowman called up for consideration the following resolution and moved its adoption:

Be It Resolved by the House, the Senate concurring. That the superintendent of printing be and is hereby authorized to print, from copy furnished him by the secretary of the Senate and the chief clerk of the House, an edition of the rules of procedure of the Fortieth General Assembly, with pages substantially four (4) by six and one-half (6½) inches in size, containing the joint rules and the rules of each house and a plat of each house showing seats of members: said edition of the rules of procedure to be in number seven hundred (700), of which 200 are to be bound in flexible leather, with names of members and officers, printed on as many as needed for that purpose, the remainder to be bound in paper covers for general distribution.

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

Ayes, 29.

Abben	Fulton	Kimberly	Rees
Baird	Gilchrist	Mantz	Shaff
Bergman	Hartman	Mead	Shane
Browne	Haskell	Newberry	Shinn
Chase	Holdoegel	Olson	Slosson
Dutcher	Horchem	Perkins	Snook
Ethell	Johnston	Reed	Stoddard
			Wichman

Nays, none.

Absent or not voting, 21.

Adams	Buser	Goodwin	Romkey
Banta	Caldwell	Hale	Scott
Bowman	Campbell	McIntosh	Smith
Brookhart	Cessna	Nelson	Thurston
Brookins	Darting	Price	Tuck
			White

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

By unanimous consent on request of Senator Buser Senate File No. 309 was made a special order for 11 a. m. Tuesday.

THIRD READING OF BILLS

On motion of Senator Buser, Senate File No. 308, a bill for an act to amend section one (1) of chapter two hundred thirty (230)

of the acts of the Thirty-ninth General Assembly (C. C. supplement section 3922-a1), relating to the payment of cost of paving extensions of primary roads within cities and to extend the provisions thereof to include other cities, 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 Buser the words "commission form of government or city management plan" were struck out and the comma following the word "charter" was changed to a period.

Senator Buser moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Campbell	Horchem	Rees
Baird	Cessna	Johnston	Shaff
Banta	Dutcher	Kimberly	Shane
Bergman	Ethell	Mead	Shinn
Bowman	Fulton	Newberry	Slosson
Brookhart	Gilchrist	Olson	Snook
Brookins	Hartman	Perkins	Stoddard
Browne	Haskell	Price	Tuck
Buser	Holdoegel	Reed	White
			Wichman

Nays, none.

Absent or not voting, 13.

Adams	Darting	McIntosh	Romkey
Caldwell	Goodwin	Mantz	Scott
Chase	Hale	Nelson	Smith
			Thurston

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

On motion of Senator Haskell Senate File No. 159, a bill for an act to amend, revise, and codify sections three thousand six hundred sixty-seven (3667), three thousand six hundred eighty-five (3685), three thousand six hundred eighty-six (3686), of the compiled code of Iowa, relating to municipal corporations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Haskell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Dutcher	Mantz	Slosson
Baird	Gilchrist	Mead	Smith
Banta	Goodwin	Newberry	Snook
Bergman	Hartman	Olson	Stoddard
Bowman	Haskell	Perkins	Tuck
Brookhart	Holdoegel	Reed	White
Brookins	Horchem	Rees	Wichman
Buser	Johnston	Shaff	
Campbell	Kimberly	Shane	

Nays, none.

Absent or not voting, 16.

Adams	Chase	Hale	Romkey
Browne	Darting	McIntosh	Scott
Caldwell	Ethell	Nelson	Shinn
Cessna	Fulton	Price	Thurston

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

On motion of Senator Haskell Senate File No. 181, a bill for an act to amend, revise, and codify sections four thousand eighty-nine (4089) to four thousand ninety-two (4092), inclusive, four thousand ninety-four (4094) to four thousand one hundred (4100), inclusive, and four thousand one hundred two (4102) to four thousand one hundred five (4105), inclusive, of the compiled code of Iowa, and sections four thousand ninety-three (4093) and four thousand one hundred one (4101) of the supplement to said code, relating to municipal corporations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Haskell moved that the reading just had be considered the third reading, which motion prevailed.

Senator Shaff invoked Rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 26.

Baird	Haskell	Newberry	Smith
Banta	Holdoegel	Olson	Snook
Brookhart	Horchem	Perkins	Stoddard
Campbell	Johnston	Reed	White
Dutcher	Kimberly	Shaff	Wichman
Fulton	Mantz	Shane	
Goodwin	Mead	Slosson	

Nays, 14.

Bergman	Buser	Gilchrist	Shinn
Bowman	Cessna	Hartman	Tuck
Brookins	Chase	Price	
Browne	Ethell	Rees	

Absent or not voting, 10.

Abben	Darting	Nelson	Thurston
Adams	Hale	Romkey	
Caldwell	McIntosh	Scott	

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File No. 103, a bill for an act to amend, revise and codify section two thousand five hundred ninety-one (2591) of the compiled code of Iowa, relating to education.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 81, a bill for an act to amend, revise and codify sections sixty-four hundred fifty-two (6452), sixty-four hundred fifty-three (6453) and sixty-four hundred fifty-four (6454) of the compiled code of Iowa, relating to perpetuities, gifts and bequests.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 106, a bill for an act to amend, revise and codify sections two thousand six hundred eleven (2611), two thousand six hundred twelve (2612) and two thousand six hundred fifteen (2615) of the compiled code of Iowa, relating to education.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 228, a bill for an act to amend, revise and codify sections seven thousand one hundred sixty-three (7163), seven thousand one hundred seventy-one (7171) to seven thousand one hundred seventy-three (7173), inclusive, seven thousand one hundred eighty (7180), seven thousand one hundred eighty-one (7181), seven thousand one hundred eighty-three (7183) to seven thousand one hundred eighty-five (7185), inclusive, and seven thousand one hundred eighty-nine (7189), of the compiled code of Iowa, relating to the manner of commencing actions.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

File No. 350, a bill for an act to amend section eighteen hundred thirty-

nine-1 (1839-1), supplement to the code 1913 (C. C. 5583), 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.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 350, a bill for an act to amend section eighteen hundred thirty-nine-1 (1839-1), supplement to the code, 1913, (C. C. 5583) 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.

House File No. 106, a bill for an act to amend, revise and codify sections two thousand six hundred eleven (2611), two thousand six hundred twelve (2612) and two thousand six hundred fifteen (2615) of the compiled code of Iowa, relating to education.

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

House File No. 228, a bill for an act to amend, revise and codify sections seven thousand one hundred sixty-three (7163), seven thousand one hundred seventy-one (7171) to seven thousand one hundred seventy-three (7173), inclusive, seven thousand one hundred eighty (7180), seven thousand one hundred eighty-one (7181), seven thousand one hundred eighty-three (7183) to seven thousand one hundred eighty-five (7185), inclusive, and seven thousand one hundred eighty-nine (7189), of the compiled code of Iowa, relating to the manner of commencing actions.

Read first and second time and referred to committee on judiciary No. 2.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports it has examined and finds correctly enrolled House File No. 48.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

REPORT OF COMMITTEE ON COMMITTEE CLERKS

Senator Horchem offered the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to examine committee clerks, beg to report that the following clerk has been examined, found qualified and has been assigned to Senator Scott: Sadie M. Lowry.

B. J. HORCHEM, Chairman.

The report was 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 Senate File No. 113, a bill for an act to amend, revise and codify sections two thousand seven hundred sixteen (2716) and two thousand seven hundred twenty-five (2725) of the compiled code of Iowa, relating to education, beg leave to report it has had the same under consideration and recommends the same do pass.

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on Public Schools to whom was referred Senate File No. 335, a bill for an act to amend section two thousand seven hundred seventy-eight (2778), Supplemental Supplement to the Code, 1915, as amended by chapter three hundred ten (310), acts of the Thirty-eighth General Assembly (C. C. 2551-2553), relating to teachers' contracts, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

BYRON W. NEWBERRY, *Chairman*.

The report was adopted and the bill indefinitely postponed.

REQUEST FOR INFORMATION

Senator Buser offered the following resolution:

Whereas, Many members of this body are desirous of securing certain definite detailed information of importance, and

Whereas, The laws of Iowa have imposed upon the State Highway Commission the obligation of performing the functions which are the source of the information desired, therefore

Be It Resolved, That the State Highway Commission provide at an early date for the information of the State Senate the following information:

1. A brief concrete statement showing the total amount of anticipations upon the primary road fund of those counties that have anticipated their allotments. Of date Jan. 1, 1923.

2. A brief statement showing each county that has anticipated their allotment by the issuance of the anticipation certificates and the amount thereof. Of date Jan. 1, 1923.

3. A statement showing the total amount of money in possession of the Treasurer of State derived from federal road appropriation acts. Of date Jan. 1, 1923.

4. A statement showing the total amount of money in possession of the State Treasurer derived from the collection of motor vehicle fees apportioned as provided by law. Of date Jan. 1, 1923.

5. A statement showing the total amount of motor vehicle funds in possession of the county treasurers of the various counties of the state apportioned as by law provided, of date Jan. 1, 1923, not including such amount, if any, in their possession unapportioned.

6. A statement of the total amount of primary road funds invested in anticipation certificates; bonds of any form, if any; county warrants of all kinds, if any; all other financial obligations, if any, not evidenced by an instrument in writing. This statement to include all items whether of a temporary nature or in form providing for a definite liquidation date.

Laid over under the rules.

BILLS REFERRED

On motion of Senator Brookins, Senate File Nos. 283 and 315 and House File No. 294 were rereferred to the committee on congressional, judicial and representative districts.

As a token of friendship and regard, the members and officers of the Senate sent a bouquet to Senator Henry C. Adams, who is ill at the Methodist hospital.

The Journal of February 3rd was corrected and approved.

On motion of Senator Shane the Senate adjourned until 3:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports it has examined and finds correctly enrolled Senate File No. 83.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

REPORTS OF COMMITTEES

Senator Reed, 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. 80, a bill for an act to amend, revise and codify

chapter five (5) of title twenty-three (23) of the compiled code of Iowa, relating to landlord and tenant, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 360, a bill for an act authorizing the proper authorities of the State of Iowa to issue a patent conveying certain real estate located in Audubon County, Iowa, to Walter F. Nelson, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 286, a bill for an act to legalize an election in Lucas County, Iowa, and to legalize certain jail bonds and refunding bonds issued pursuant thereto, beg leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking out the word "legislation" in line two of section three of the bill and inserting the word "litigation" in place thereof.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 369, a bill for an act to amend section three hundred thirty-seven (337) of the Supplement to the Code of Iowa, 1913 (C. C. 6997), relating to the selection of jury lists, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 49, a bill for an act to amend, revise and codify section eight hundred sixty-three (863) of the compiled code of Iowa, relating to assumption of risks, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

CARL W. REED, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 377, a bill for an act to repeal section three thou-

sand eight hundred seventy-two (3872) of the Code (C. C. Sec. 7633), as amended by chapter two hundred seventy-five (275) of the Acts of the Thirty-ninth General Assembly and to enact a substitute therefor, relating to the taxation of jury fees as part of the costs, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

CARL W. REED, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Senator Ethell, 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. 269, a bill for an act prohibiting public officers and employees from receiving public funds as compensation for services in addition to the amount to which they are entitled by virtue of their office and fixing a penalty for its violation, beg leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by adding to section one (1) following the word "treasury" in the last line the following, "In the State of Iowa or any other state."

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred Senate File No. 343, a bill for an act to compel counties and the officers thereof to limit annual expenditures in the several funds to annual collectible revenues for said funds, beg leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Senator Kimberly, 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. 358, a bill for an act to amend section twenty-seven hundred thirteen-n-seven (2713-n-7), Supplemental Supplement to Code 1915 (C. C. Section 2165), relating to commitments to Women's Reformatory, beg leave to report it has had the same under consideration and recommends the same do pass.

D. W. KIMBERLY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on board of control to whom was referred Senate File No. 355, a bill for an act to change the name of the

State Hospital and Colony for Epileptics, beg leave to report it has had the same under consideration and recommends the same do pass.

D. W. KIMBERLY, *Chairman*.

Ordered passed on file.

By unanimous consent on request of Senator Horchem, two thousand extra copies of S. F. 384 were ordered printed.

Senator Gilchrist offered the following motion:

I move that until further action of the Senate is taken, it shall convene at 9 o'clock in the forenoon; that immediately after adjournment committee meetings be held; and that from and after 2:30 o'clock in the afternoon the time be reserved for daily meetings of the committee on ways and means.

Senator Shaff offered the following substitute motion:

I move that this week and next week we meet in regular session at one o'clock; committee meetings may be held following adjournment, and the ways and means committee or any other committee may meet prior to the noon hour.

Senator Gilchrist moved to amend the substitute motion as follows:

Amend by striking out the words "or any other committee."

Senator Ethell moved that the whole matter be indefinitely postponed.

Senator Baird moved the previous question, which motion prevailed and the previous question was ordered.

Senator Price moved that the vote by which the previous question was ordered be reconsidered and asked for a division vote. The motion to reconsider prevailed. The motion for the previous question lost.

Senator Ethell's motion that the matter be indefinitely postponed was lost.

The amendment by Senator Gilchrist was lost.

Senator Shaff offered the following amendment to the substitute:

Amend by striking out the words "one o'clock" and inserting the words "eleven o'clock" in lieu thereof.

Senator Shaff moved the previous question, which motion prevailed and the previous question was ordered.

The amendment to the substitute was adopted.

The substitution for the original motion was made and the motion then prevailed.

On motion of Senator Shane the Senate adjourned until 11 o'clock Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 6, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. J. B. O'Connor, pastor of the Methodist Church of Garner, Iowa.

On motion of Senator Ethell rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Darting for the day, on request of Senator White; Senator Scott for the day, on request of Senator Hartman; Senator Nelson for the day, on request of Senator Browne; Senator Cessna for the day, on request of Senator Browne.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Wichman from the Hancock county board of education recommending a requirement of three years of normal training in addition to a high school diploma for all public school teachers of the state. Schools.

By Senator Hartman from the Browning Club of Waukon, and from teachers of Postville, endorsing the teachers' annuity bill. Schools.

By Senator Haskell from the Cedar Rapids board of education, and teachers of Cedar Rapids public schools, endorsing the teachers' annuity bill. Schools.

By Senator McIntosh from teachers of Mount Ayr protesting the proposed repeal of the teachers' minimum wage law. Schools.

THIRD READING OF BILLS

On motion of Senator Buser, Senate File No. 309, a bill for an act to repeal section one thousand four hundred fifty-nine (1459)

of the code of 1897 (C. C. section 4769) relating to the collection, possession and remittance of moneys belonging to the state treasury by county treasurers 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 from line eight (8), paragraph two (2), section one (1) the word "auditor" and inserting in lieu thereof the word "treasurer".

By unanimous consent, on request of Senator Buser, the word and figure "eight (8)" were stricken out and the word and figure "twelve (12)" were inserted in lieu thereof.

Senator Buser offered the following amendments and moved their adoption:

Amend Senate File No. 309 by adding after the word "treasury" in line 12, of paragraph 2, the following: "according to the provisions of this act".

Also amend by striking from line 13 of said paragraph the words "and the treasurer of any county".

Also amend by striking from line 15 of said paragraph, the words "or any county treasurer".

Also amend by striking from lines 21, 22, and 23, beginning after the word "treasurer" in line 21, the following: "of not more than one million five hundred thousand dollars (\$1,500,000). When such cash balance becomes less than one million dollars (\$1,000,000)" and inserting in lieu thereof the following "including all funds and moneys received by him from other sources and properly a part of the general fund, of not more than three million dollars (\$3,000,000). When such cash balance shall become less than two million dollars (\$2,000,000)".

The amendments were adopted.

The bill was read for information.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking out the word "any" appearing in line 4 of section 3 and inserting in lieu thereof the word "and".

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking out section 5, publication clause.

The amendment was adopted.

Senator Price offered the following amendment and moved its adoption:

Amend by striking from lines 2 and 3 of section 4 the words "funds derived from the collection of motor vehicle license fees" and inserting in lieu thereof the words "any of the primary road funds".

The amendment was adopted.

Senator Buser moved that the reading just had be considered the third reading, which motion prevailed.

Senator Caldwell invoked Rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Ethell	McIntosh	Shane
Baird	Fulton	Mantz	Shinn
Bergman	Gilchrist	Newberry	Slosson
Bowman	Hale	Olson	Snook
Brookhart	Hartman	Perkins	Stoddard
Brookins	Haskell	Price	Thurston
Browne	Holdoegel	Reed	Tuck
Buser	Horchem	Rees	White
Campbell	Johnston	Romkey	Wichman
Chase	Kimberly	Shaft	

Nays, 6.

Banta	Dutcher	Mead	Smith
Caldwell	Goodwin		

Absent or not voting, 5.

Adams	Darting	Nelson	Scott
Cessna			

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 328, a bill for an act to amend section ten hundred fifty-six-a fifty-nine (1056-a59) supplement to the code, 1913, (C. C. 4264), relating to tax levies in cities under commission form of government.

Also, 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, revise and codify section eighty-six hundred forty-five (8645) of the compiled code of Iowa, relating to larceny and punishment therefor.

Also, 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, revise, and codify section

five thousand four hundred seventy-eight (5478) of the supplement to the compiled code of Iowa, relating to life insurance companies.

Also, that the House has concurred in Senate amendments to House File 274, a bill for an act to legalize the incorporation, including the notice of incorporation and the publication thereof, and corporate acts and proceedings of the Graettinger Tile Works of Graettinger, Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 328, a bill for an act to amend section ten hundred fifty-six-a fifty-nine (1056-a59), supplement to the code 1913 (C. C. 4264) relating to tax levies in cities under commission form of government.

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

House File No. 206, a bill for an act to amend, revise, and codify section five thousand four hundred seventy-eight (5478) of the supplement to the compiled code of Iowa, relating to life insurance companies.

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

House File No. 248, a bill for an act to amend, revise and codify section eighty-six hundred forty-five (8645) of the compiled code of Iowa, relating to larceny and punishment therefor.

Read first and second time and referred to committee on judiciary No. 1.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, 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 it has examined and finds correctly enrolled House File No. 274.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

Senator Tuck moved that the Senate adjourn until 1:30 p. m. Motion lost.

INTRODUCTION OF BILLS

Senate File No. 393, by Senator Kimberly, a bill for an act to amend section one (1), chapter one hundred and fifty-six (156), laws of the Thirty-ninth General Assembly (C. C. section 2094), relating to the selection of probation officers in juvenile courts.

Read first and second times and referred to committee on correctional and penal institutions.

Senate File No. 394, by Senators Caldwell and Ethell, a bill for an act to provide for an appropriation of \$50,000.00 annually during the next biennial, improving school conditions in coal mining camps.

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

Senate File No. 395, by Senator Caldwell, a bill for an act to make an appropriation for the purpose of indemnifying John Young and Retta Young for damages sustained by them by reason of the death of their son, Merle J. Young, who was killed in the line of service while on duty with the Iowa National Guards.

Read first and second times and referred to committee on claims.

Senate File No. 396, by Senator Mantz, a bill for an act establishing the qualifications of teachers of agriculture and of normal training critic teachers in approved high schools of Iowa.

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

Senate File No. 397, by Senator Mantz, a bill for an act amending section seventeen hundred and nine (1709) supplement to the code, 1913, (C. C. 5627), relating to insurance other than life.

Read first and second times and referred to committee on insurance.

Senate File No. 398, by Senator Hale, a bill for an act making an appropriation to reimburse Jones county, Iowa on prison breach cases tried between the dates of December 3, 1920 and October 2, 1922.

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

Senate File No. 399, by Senator Olson, a bill for an act making it optional with consolidated independent school districts to furnish transportation to pupils and to provide housing for vehicles. Additional to section two thousand seven hundred ninety-four-a (2794-a) supplemental supplement to the code, 1915, as amended by chapter four hundred thirty-two (432) acts of the Thirty-seventh General Assembly, and chapters one hundred sixteen (116) and one hundred forty-nine (149) acts of the Thirty-eighth General Assembly, (C. C. 2524) and chapter one hundred seventy-five (175) acts of the Thirty-ninth General Assembly.

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

Senate File No. 400, by Senator Bergman, a bill for an act to amend the law as it appears in section seventeen hundred fifty-

eight-n (1758-n) supplemental supplement to the code, 1915, and to authorize the inspection of rated risks by inspectors appointed under the direction of the commissioner of insurance, and to authorize such commissioner to order immediate publication of a new rate based upon such inspection.

Read first and second times and referred to committee on insurance.

Senate File No. 401, by Senator Newberry, a bill for an act to make an appropriation for the purchase of fifty thousand (50,000) copies of the railroad commissioners' official map, twenty-five (25) copies to be delivered on request to each member of the general assembly and balance to be distributed by the railroad commissioners.

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

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate File No. 83.

The Journal of February 5th was corrected and approved.

Senator Tuck moved that the Senate adjourn until 11 a. m. Wednesday.

Senator Price moved to amend the motion of Senator Tuck by making the hour 1:30 p. m. today. The amendment was adopted and the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

THIRD READING OF BILLS

On motion of Senator Kimberly, Senate File No. 355, a bill for an act to change the name of the state hospital and colony for epileptics, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Kimberly moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Campbell	Kimberly	Shane
Baird	Cessna	McIntosh	Shinn
Bergman	Dutcher	Mantz	Slosson
Bowman	Gilchrist	Mead	Snook
Brookhart	Hale	Nelson	Stoddard
Brookins	Haskell	Newberry	Thurston
Browne	Holdoegel	Perkins	Tuck
Buser	Horchem	Rees	White
Caldwell	Johnston	Romkey	Wichman

Nays, none.

Absent or not voting, 14.

Adams	Ethell	Olson	Shaff
Banta	Fulton	Price	Smith
Chase	Goodwin	Reed	
Darting	Hartman	Scott	

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

On motion of Senator Kimberly, Senate File No. 358, a bill for an act to amend section twenty-seven hundred thirteen-n-seven (2713-n7), supplemental supplement to code 1915, (C. C. section 2165), relating to commitments to women's reformatory, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Kimberly moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Campbell	Johnston	Shane
Baird	Cessna	Kimberly	Shinn
Banta	Dutcher	McIntosh	Slosson
Bergman	Fulton	Mantz	Snook
Bowman	Gilchrist	Mead	Stoddard
Brookhart	Hale	Nelson	Thurston
Brookins	Hartman	Newberry	Tuck
Browne	Haskell	Perkins	White
Buser	Holdoegel	Rees	Wichman
Caldwell	Horchem	Romkey	

Nays, none.

Absent or not voting, 11.

Adams	Ethell	Price	Shaff
Chase	Goodwin	Reed	Smith
Darting	Olson	Scott	

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

On motion of Senator Tuck, Senate File No. 343, a bill for an act to compel counties and the officers thereof to limit annual expenditures in the several funds to annual collectible revenues for said funds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Tuck moved that the reading just had be considered the third reading, which motion prevailed.

On motion of Senator Price, Senate File No. 343 was made a special order for 11:30 a. m. Wednesday.

On motion of Senator Snook, Senate File No. 269, a bill for an act prohibiting public officers and employees from receiving public funds as compensation for services in addition to the amount to which they are entitled by virtue of their office and fixing a penalty for its violation, 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 to section one (1) following the word "treasury" in the last line the following, "In the State of Iowa or any other state."

The bill was read for information.

On motion of Senator Johnston the bill was rereferred to the committee on judiciary No. 1.

On motion of Senator Johnston Senate File No. 286, a bill for an act to legalize an election in Lucas county, Iowa, and to legalize certain jail bonds and refunding bonds issued pursuant thereto, 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 "legislation" in line two of section three of the bill and inserting the word "litigation" in place thereof.

The bill was read for information.

Senator Johnston moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Abben	Cessna	Kimberly	Romkey
Baird	Dutcher	McIntosh	Shaff
Banta	Ethell	Mantz	Shane
Bergman	Fulton	Mead	Shinn
Brookhart	Gilchrist	Nelson	Slosson
Brookins	Hale	Newberry	Smith
Browne	Hartman	Olson	Snook
Buser	Holdoegel	Perkins	Stoddard
Caldwell	Horchem	Reed	Thurston
Campbell	Johnston	Rees	Wichman

Nays, none.

Absent or not voting, 10.

Adams	Darting	Price	White
Bowman	Goodwin	Scott	
Chase	Haskell	Tuck	

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

On motion of Senator Mantz Senate File No. 360, a bill for an act authorizing the proper authorities of the state of Iowa, to issue a patent conveying certain real estate located in Audubon county, Iowa, to Walter F. Nelson, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Mantz moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Cessna	Johnston	Romkey
Baird	Dutcher	Kimberly	Shaff
Banta	Ethell	McIntosh	Shane
Bergman	Fulton	Mantz	Shinn
Brookhart	Gilchrist	Mead	Slosson
Brookins	Hale	Nelson	Snook
Browne	Hartman	Newberry	Stoddard
Buser	Haskell	Olson	Tuck
Caldwell	Holdoegel	Perkins	Wichman
Campbell	Horchem	Price	

Nays, none.

Absent or not voting, 11.

Adams
Bowman
Chase

Darting
Goodwin
Reed

Rees
Scott
Smith

Thurston
White

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

INTRODUCTION OF BILLS

Senate File No. 402, by Senator Stoddard, a bill for an act to amend section two thousand four hundred seventy-seven-m-forty-nine (2477-m49) of the supplement to the code, 1913, (C. C. 858), relating to workmen's compensation.

Read first and second times and referred to committee on insurance.

Senate File No. 403, by Senator Stoddard, a bill for an act to amend section two thousand four hundred seventy-seven-m-sixteen (2477-m16) of the supplement to the code, 1913, (C. C. 823) as amended by chapter two hundred seventy (270), acts of the Thirty-seventh General Assembly, relating to workmen's compensation.

Read first and second times and referred to committee on insurance.

Senate File No. 404, by Senator Stoddard, a bill for an act to amend section two thousand four hundred seventy-seven-m-nine (2477-m9) of the supplement to the code, 1913, (C. C. 816), as amended by chapter two hundred seventy (270), acts of the Thirty-seventh General Assembly, and chapter two hundred ninety (290), acts of the Thirty-eighth General Assembly and section two thousand four hundred seventy-seven-m-sixteen (2477-m16) of the supplement to the code, 1913, (C. C. 823), as amended by chapter two hundred seventy (270), acts of the Thirty-eighth General Assembly, relating to workmen's compensation.

Read first and second times and referred to committee on insurance.

Senator Newberry moved that the Senate adjourn until 11 a. m. Wednesday.

Senator Brookhart moved to amend the motion of Senator Newberry by making the hour 4 o'clock today.

The amendment was adopted and the Senate adjourned until 4 p. m.

The Senate reconvened.

REPORTS OF COMMITTEE

Senator Brookhart, 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. 289, a bill for an act to amend section three hundred thirty-five (335), supplement to the code, 1913, (C. C. sec. 6992), relating to the drawing of jury lists, beg leave to report they have the same under consideration and recommend the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred House File No. 252, a bill for an act to amend, revise and codify section ninety-five hundred sixty-two (9562) of the compiled code of Iowa, relating to appeals in criminal cases, 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:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred House File No. 343, a bill for an act to amend section four thousand seven hundred fifty-four (4754) of the code (C. C. 8671), relating to the punishment for the crime of robbery, 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:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 79, a bill for an act to amend, revise and codify chapter four (4) of title twenty-three (23) of the compiled code of Iowa, relating to homestead, 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:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred House File No. 306, a bill for an act to amend section two hundred twenty-seven (227) of the Supplemental Supplement to the Code, 1915, (C. C. Sec. 6937), relating to the number of district judges in each district, and providing that the number of judges in the Fourth Judicial District shall be four, and providing a method for filling the additional office created by this act, and for the election of a judge to fill the office hereby

created, when the term of an appointee to fill such office shall expire as provided by law, beg leave to report they have had the same under consideration and recommend the same be referred to committee on congressional, judicial and representative districts.

J. L. BROOKHART, *Chairman*.

The report was adopted and the bill referred to the committee on congressional, judicial and representative districts.

INTRODUCTION OF BILLS

Senate File No. 405, by Senator Shane, a bill for an act to legalize certain warrants issued by the board of supervisors of Wapello county, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 406, by Senator Wichman, a bill for an act relating to and requiring sheriffs to make reports of all monies received from or through condemnation proceedings and to pay such funds to county treasurers or the successor in office of such sheriff and requiring such treasurers and successors to account for the same.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 407, by committee on fish and game, a bill for an act to amend section two thousand five hundred sixty-two-b (2562-b) of the supplemental supplement to the code, 1915, (C. C. 1137), relating to the ownership and title of wild game, birds, and fish, and providing for the ownership of mussels, clams and frogs.

Read first and second times and referred to committee on fish and game.

Senate File No. 408, by committee on fish and game, a bill for an act to amend chapter three hundred ninety-six (396), acts of the Thirty-seventh General Assembly, as amended by chapter eighty-seven (87), acts of the Thirty-ninth General Assembly (C. C. 1128), relating to the trapping of fur bearing animals and providing for the protection of skunks.

Read first and second times and referred to committee on fish and game.

Senate File No. 409, by Senator Dutcher, a bill for an act to amend the law as it appears in section thirteen (13), chapter one

hundred eighty (180), acts of the Thirty-seventh General Assembly (C. C. sec. 5720), relating to the annual taxation of premiums collected from subscribers under inter-insurance contracts.

Read first and second times and referred to committee on insurance.

Senate File No. 410, by Senator Fulton, a bill for an act to repeal chapter two (2) a, title VI, supplement to the code, 1913, as amended by chapter two hundred fifty-three (253), acts of the Thirty-eighth (38th) General Assembly, and by chapter seventy-five (75), acts of the Thirty-ninth (39th) General Assembly; section nine (9) of chapter eighty-six (86), acts of the Thirty-eighth (38th) General Assembly (C. C. chapter 2, title IV); section ten hundred ninety-eight (1098), eleven hundred (1100), eleven hundred two (1102), eleven hundred three (1103), of the code, 1897, section ten hundred ninety-nine (1099) of the code, 1897, as amended by section one (1) of chapter eighty-six (86), acts of the Thirty-eighth (38th) General Assembly; section eleven hundred four (1104) of the supplemental supplement to the code, 1915, section eleven hundred one (1101) of the supplemental supplement to the code, 1915, as amended by chapter one hundred (100), acts of the Thirty-eighth (38th) General Assembly (C. C. chapter 3, title IV); and chapter sixty-three (63), acts of the Thirty-eighth (38th) General Assembly (C. C. chapter 4, title IV); and in lieu thereof to provide for nominations by primary elections.

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

On motion of Senator Shinn the Senate adjourned until 11 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 7, 1923.

The Senate met in regular session. President John Hammill presiding.

Prayer was offered by Rev. Louis E. Watson, pastor of the Wesley Methodist Church of Des Moines, Iowa.

On motion of Senator Brookhart rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Adams from citizens of the 47th district protesting the proposed measure prohibiting the use of live decoys and reducing the number of ducks that may be taken or had in possession. Fish and game.

By Senator Ethell from Vern C. Reed Post No. 78, American Legion, Bloomfield, protesting the proposed repeal of the tax exemption law for soldiers and sailors. Ways and means.

By Senator Holdoegel from the Woman's Club of Manson endorsing the teachers' annuity bill. Schools.

By Senator Stoddard from the Sioux City Trades and Labor Assembly endorsing the teachers' annuity bill. Schools.

By Senator Nelson from Camp No. 6354, Modern Woodmen of America, Lewis, protesting the Richmond bill. Insurance.

By Senator Holdoegel from teachers of the Logan public schools endorsing the teachers' annuity bill. Schools.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Darting indefinitely, on request of Senator White.

INTRODUCTION OF BILLS

Senate File No. 411, by Senator Ethell, a bill for an act to amend section three thousand three hundred forty-nine (3349) of the code of 1897 (C. C. 7874), relating to limitation of actions of claims against estates.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 412, by Senator Campbell, a bill for an act to enlarge the powers of the board of railroad commissioners by conferring on it jurisdiction and control over the construction, maintenance, operation, service and rates of telephone companies, and to regulate the service and rates of said companies.

Read first and second times and referred to committee on telegraph and telephone.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports it has on this 7th day of February, 1923, sent to the Governor for his approval, Senate File No. 83.

F. C. GILCHRIST, *Chairman.*

Report was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports it has examined and finds correctly enrolled Senate Files No. 103 and 81.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

REPORT OF COMMITTEE

Senator Holdoegel, from the committee on highways, submitted the following report:

MR. PRESIDENT: Your committee on Highways to whom was referred Senate File No. 337, a bill for an act to amend the law as it appears in section fifteen hundred twenty-seven (1527) hyphen (-) r two (2) supplemental supplement of the code of nineteen hundred fifteen (1915) (C. C. Sec. 2829) in relation to the establishment of roads, beg leave to report

it has had the same under consideration and recommends the same be indefinitely postponed.

P. C. HOLDOEGEL, *Chairman*.

The report was adopted and the bill indefinitely postponed.

THIRD READING OF BILLS

On motion of Senator Tuck, Senate File No. 369, a bill for an act to amend section three hundred thirty-seven (337) of the supplement to the code of Iowa, 1913 (C. C. 6997) relating to the selection of jury lists, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Tuck moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41.

Abben	Campbell	Kimberly	Shaff
Baird	Cessna	McIntosh	Shane
Banta	Dutcher	Mantz	Shinn
Bergman	Ethell	Nelson	Slosson
Bowman	Fulton	Olson	Smith
Brookhart	Gilchrist	Perkins	Snook
Brookins	Hale	Price	Stoddard
Browne	Holdoegel	Reed	Thurston
Buser	Horchem	Rees	Tuck
Caldwell	Johnston	Romkey	White
			Wichman

Nays, none.

Absent or not voting, 9.

Adams	Goodwin	Mead	Scott
Chase	Hartman	Newberry	
Darting	Haskell		

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

On motion of Senator Reed, House File No. 80, a bill for an act to amend, revise and codify chapter five (5) of title twenty-three (23) of the compiled code of Iowa, relating to landlord and tenant, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wichman moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Abben	Ethell	Mantz	Slosson
Baird	Fulton	Nelson	Smith
Banta	Gilchrist	Olson	Snook
Bergman	Hale	Perkins	Stoddard
Brookhart	Hartman	Price	Thurston
Brookins	Holdoegel	Reed	Tuck
Buser	Horchem	Rees	White
Caldwell	Johnston	Romkey	Wichman
Campbell	Kimberly	Shaff	
Dutcher	McIntosh	Shane	

Nays, none.

Absent or not voting, 12.

Adams	Cessna	Goodwin	Newberry
Bowman	Chase	Haskell	Scott
Browne	Darting	Mead	Shinn

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

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: House File 274 and Senate Files 103 and 81.

By unanimous consent Senator Reed withdrew Senate File No. 80 from further consideration.

On motion of Senator Mantz Senate File No. 113, a bill for an act to amend, revise and codify sections two thousand seven hundred sixteen (2716) and two thousand seven hundred twenty-five (2725) of the compiled code of Iowa, relating to education, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Mantz moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Abben	Browne	Ethell	Holdoegel
Baird	Buser	Fulton	Horchem
Banta	Caldwell	Gilchrist	Johnston
Bergman	Campbell	Goodwin	Kimberly
Brookhart	Cessna	Hale	McIntosh
Brookins	Dutcher	Hartman	Mantz

Mead	Reed	Slosson	Thurston
Nelson	Rees	Smith	Tuck
Olson	Romkey	Snook	White
Perkins	Shane	Stoddard	Wichman

Nays, none.

Absent or not voting. 10.

Adams	Darting	Price	Shinn
Bowman	Haskell	Scott	
Chase	Newberry	Shaff	

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

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate File No. 37, a bill for an act to amend, revise, and codify chapter twenty-five (25) of title four (4) and sections seven hundred twenty-three (723) and seven hundred twenty-four (724) of the compiled code of Iowa, relating to the duty of public officers in the matter of public contracts.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 249, a bill for an act to amend, revise and codify section eighty-eight hundred three (8803) of the compiled code of Iowa, relating to immoral and lascivious acts with or in the presence of children.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 300, a bill for an act to amend the law as it appears in chapter two hundred thirty-two (232) of the laws of the Thirty-ninth (39th) General Assembly, relating to the financial statement of school boards.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 132, a bill for an act to amend, revise and codify sections thirty-one hundred seventy-three (3173) and thirty-one hundred seventy-four (3174) of the compiled code of Iowa, relating to the county treasurer.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 126, a bill for an act to amend, revise and codify chapter thirteen (13) of title eleven (11) of the compiled code of Iowa, relating to the removal of obstructions from public highways.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 300, a bill for an act to amend the law as it appears in chapter two hundred thirty-two (232) of the laws of the Thirty-ninth (39th) General Assembly relating to the financial statement of school boards.

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

House File No. 126, a bill for an act to amend, revise and codify chapter thirteen (13) of title eleven (11) of the compiled code of Iowa, relating to the removal of obstructions from public highways.

Read first and second times and referred to committee on highways.

House File No. 132, a bill for an act to amend, revise and codify sections thirty-one hundred seventy-three (3173) and thirty-one hundred seventy-four (3174) of the compiled code of Iowa, relating to the county treasurer.

Read first and second times and referred to committee on county and township affairs.

THIRD READING OF BILLS

On motion of Senator Tuck, Senate File No. 343, a bill for an act to compel counties and the officers thereof to limit annual expenditures in the several funds to annual collectible revenues for said funds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Tuck the word "county" was inserted in line 4 after the word "any".

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from section 1, line 4 the words "and in any county fund" and by inserting in the same line after the word "expenditure" the words "from any county fund".

The amendment was adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend the bill by striking therefrom the whole of Section 3 thereof, being the publication clause.

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking the period at the end of line 6 of section 1 and adding the following: "or any balance in other county funds that may be lawfully transferred to such fund".

The amendment was lost.

Senator Baird offered the following amendment and moved its adoption:

Amend by inserting after the word "warrant" in line 2 the words "that does not have endorsed thereon the balance remaining in said fund".

The amendment was lost.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by adding at the end of section one the following: "Any officer allowing a claim, issuing a warrant, or making a contract contrary to the provisions of this section shall be held personally liable for the payment of the claim, or warrant, or the performance of the contract".

The amendment was adopted.

Senator Thurston offered the following amendment and moved its adoption:

Amend by striking out the period after the word "casualty" in line 4, section 2, and substituting a comma therefor and by adding: "or expenses incurred in connection with the operation of the courts".

The amendment was adopted.

Senator Johnston moved the previous question on the bill, which motion prevailed and the previous question was ordered.

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

Senator Tuck invoked Rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Campbell	Mantz	Shane
Banta	Cessna	Mead	Shinn
Bergman	Ethell	Nelson	Slosson
Bowman	Gilchrist	Olson	Smith
Brookhart	Hale	Perkins	Snook
Brookins	Hartman	Price	Thurston
Browne	Holdoegel	Reed	Tuck
Buser	Johnston	Rees	White
Caldwell	McIntosh	Romkey	

Nays, 10.

Baird
Fulton
Goodwin

Haskell
Horchem
Kimberly

Newberry
Shaff
Stoddard

Wichman

Absent or not voting, 5.

Adams
Chase

Darting

Dutcher

Scott

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Tuck offered the following amendment to the title and moved its adoption:

Amend by striking out the title and inserting the following in lieu thereof: An act to require the officers of counties to limit annual expenditures in the several funds to the actual collectible revenues of such funds, and fixing the liability for the violation of the provisions hereof.

The amendment was adopted and the title as amended was agreed to.

Senator Price moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports it has on this 7th day of February, 1923, sent to the Governor for his approval, Senate Files Nos. 103 and 81.

F. C. GILCHRIST, *Chairman*.

Report adopted.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

THIRD READING OF BILLS

On motion of Senator Brookhart Senate File No. 79, a bill for an act to amend, revise and codify chapter four (4) of title twenty-three (23) of the compiled code of Iowa, relating to homestead,

with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Banta moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Dutcher	Johnston	Rees
Baird	Ethell	Kimberly	Shane
Banta	Fulton	McIntosh	Slosson
Bergman	Gilchrist	Mantz	Snook
Brookhart	Hale	Mead	Stoddard
Brookins	Hartman	Nelson	Thurston
Campbell	Haskell	Olson	Tuck
Buser	Holdoegel	Perkins	Wichman
	Horchem	Reed	

Nays, none.

Absent or not voting, 16.

Adams	Chase	Price	Shinn
Bowman	Darting	Romkey	Smith
Browne	Goodwin	Scott	White
Caldwell	Newberry	Shaff	
Cessna			

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

On motion of Senator Holdoegel, House File No. 343, a bill for an act to amend section four thousand seven hundred fifty-four (4754) of the code (C. C. 8671) relating to the punishment for the crime of robbery, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Holdoegel moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Abben	Ethell	Mantz	Shane
Baird	Fulton	Mead	Shinn
Banta	Gilchrist	Nelson	Slosson
Bergman	Hale	Newberry	Snook
Brookhart	Hartman	Olson	Stoddard
Brookins	Haskell	Perkins	Thurston
Buser	Holdoegel	Price	Tuck
Caldwell	Johnston	Reed	Wichman
Campbell	Kimberly	Rees	
Dutcher	McIntosh	Romkey	

Nays, none.

Absent or not voting, 12.

Adams	Cessna	Goodwin	Shaff
Bowman	Chase	Horchem	Smith
Browne	Darting	Scott	White

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

On motion of Senator Baird, House File No. 252, a bill for an act to amend, revise and codify section ninety-five hundred sixty-two (9562) of the compiled code of Iowa, relating to appeals 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.

On motion of Senator Price, House File No. 252 was rereferred to committee on judiciary No. 2.

On motion of Senator Mantz, House File No. 289, a bill for an act to amend section three hundred thirty-five (335), supplement to the code, 1913, (C. C. sec. 6992), relating to the drawing of jury lists, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Mantz moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40.

Abben	Campbell	Horchem	Shaff
Baird	Cessna	Johnston	Shane
Banta	Dutcher	Kimberly	Shinn
Bergman	Ethell	Mantz	Slosson
Bowman	Fulton	Mead	Smith
Brookhart	Gilchrist	Nelson	Snook
Brookins	Hale	Newberry	Thurston
Browne	Hartman	Perkins	Tuck
Buser	Haskell	Reed	White
Caldwell	Holdoegel	Romkey	Wichman

Nays, none.

Absent or not voting, 10.

Adams	Goodwin	Price	Stoddard
Chase	McIntosh	Rees	
Darting	Olson	Scott	

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

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. 330, a bill for an act to provide for the training of teachers for the elementary schools in private colleges, under the direction of the state board of education, and making an appropriation therefor, beg leave to report it has had the same under consideration and recommends the same do pass after being referred to the appropriations committee.

BYRON W. NEWBERRY, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

The Journal of February 6th was corrected and approved.

On motion of Senator Price the Senate adjourned until 4 p. m.

The Senate reconvened.

REPORTS OF COMMITTEES

Senator Reed, 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. 36, a bill for an act to amend, revise, and codify chapter twenty-four (24) of title four (4) of the supplement to the compiled code of Iowa, relating to the right of soldiers, sailors, marines and nurses to preference in appointment in office, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 38, a bill for an act to amend, revise and codify sections six hundred ninety-four (694), six hundred ninety-eight (698), seven hundred (700) and seven hundred three (703) of the compiled code of Iowa, relating to notaries public, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 204, a bill for an act to amend, revise and codify section fifty-eight hundred ninety-seven (5897) of the compiled code of Iowa, relating to the consideration of written contracts, beg leave to

report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Senator Shaff, from the committee on public buildings and lands, submitted the following report:

MR. PRESIDENT: Your committee on public buildings and lands to whom was referred Senate File No. 276, a bill for an act to amend chapter three hundred thirty-six (336), acts of the Thirty-ninth General Assembly, relating to war emergency and temple of justice funds, beg leave to report it has had the same under consideration and recommends the same do pass.

J. O. SHAFF, *Chairman*.

Ordered passed on file.

Senator Haskell, 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. 157, a bill for an act relating to municipal corporations—mayors and police courts, beg leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to whom was referred House File No. 162, a bill for an act relating to municipal corporations—comfort stations, beg leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to whom was referred Senate File No. 304, a bill for an act to amend chapter 316, acts of the Thirty-eighth General Assembly (C. C. sections 3653 and 3654 and 3655), relating to sanitary conditions in cities and towns and granting additional powers to cities and towns and boards of health, beg leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to whom was referred House File No. 328, a bill for an act to amend section ten hundred fifty-six-a-fifty-nine (1056-a59), supplement to the Code of 1913, (C. C. 4264) relating to tax levies in cities under commission form of govern-

ment, beg leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Senator Brookhart, 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. 282, a bill for an act to legalize the proceedings of the Board of Supervisors of Cerro Gordo County, Iowa, in calling an election authorizing the issuance of bonds in the sum of Fifty Thousand Dollars (\$50,000.00) to pay for the construction of a new county home building, and to legalize said election and all proceedings connected therewith and to validate said bonds, 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:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 386, a bill for an act to authorize courts to require security from the husband in cases where alimony or other allowance is ordered for benefit of wife or children, and to authorize punishment for contempt for disobedience to order of court in such matters, 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:

"Section 1. That in cases where alimony or other allowance has been ordered or decreed by the court after hearing, to a party in a suit for divorce or separate maintenance, or to the children of such party, the court may, in its discretion, require sufficient security to be given by the party in default against whom the decree has been made, for the payment thereof according to the terms of the order or decree; and upon his or her neglect or refusal to give such security, or upon his or her failure to pay such alimony or allowance, the court may sequester his or her personal estate and the rents and profits of his or her personal estate and the rents and profits of his or her real estate and may appoint a receiver thereof and cause such personal estate and such rents and profits to be applied according to the terms of such order or decree. If such party in default against whom the decree is obtained has an income from any source sufficient to enable him or her to pay such alimony or allowance and fails and refuses to pay the same, the court may order him or her to pay such allowance for the use of the other party or for the use of his or her children or for the use of all of them. And if any person or party shall disobey such order he or she may be punished by the court as for contempt".

Also that the title be amended to read as follows: "A bill for an act to authorize courts to require security for the payment of alimony or other allowance in divorce matters or in suits for separate maintenance and to

authorize punishment for contempt for disobedience to the order of court in such matters".

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred House Joint Resolution No. 5, a joint resolution proposing to amend section four (4), article three (3) of the constitution of the state of Iowa, relating to the qualifications of members of the House of Representatives, and to provide for its reference and publication, 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:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 382, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Council Bluffs, Iowa, 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.

Senator Ethell, 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. 141, a bill for an act to amend, revise and codify sections thirty-three hundred two (3302) and thirty-three hundred four (3304) of the compiled code of Iowa, relating to county homes, beg leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred Senate File No. 147, a bill for an act to amend, revise and codify chapter nineteen (19) of title twelve (12) of the compiled code of Iowa, relating to the relocation of county seats, beg leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred Senate File No. 338, a bill for an act to amend the law as it appears in section four hundred twenty-eight (428) of the code

of eighteen hundred ninety-seven (1897) (C. C. Sec. 2827), relating to the powers of the board of supervisors, beg leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred Senate File No. 294, a bill for an act to amend section one (1) of chapter thirty-six (36) of the Thirty-eighth General Assembly (C. C. Sec. 1685) relating to the appropriation of funds of the county by the board of supervisors to farm improvement associations and providing for an election relating thereto and for levying a tax therefor, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the figures "1924" in line 6 of section 1 and substituting in lieu thereof the figures "1925".

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred Senate File No. 131, a bill for an act to amend, revise and codify sections thirty-one hundred forty-six (1346), thirty-one hundred forty-seven (3147) and thirty-one hundred fifty-eight (3158) of the compiled code of Iowa, relating to the county auditor, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out sub-section 2, section 2 of the bill and in lieu thereof inserting the following: "The various reports as required by law to be made to the county board of supervisors of magistrates and other officers including forfeited recognizances in their offices, fines, penalties, forfeitures imposed in their respective courts, and forfeited appearance bonds in criminal cases all of which by law go into the county treasury for the benefit of the school fund."

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

On motion of Senator Brookhart House Joint Resolution No. 5 was substituted for Senate Joint Resolution No. 3.

By unanimous consent Senator Newberry withdrew Senate Joint Resolution No. 3 from further consideration.

On motion of Senator Newberry five hundred extra copies of Senate File No. 380 were ordered printed.

On motion of Senator Newberry four thousand extra copies of the joint tax commission report were ordered printed.

INTRODUCTION OF BILLS

Senate File No. 413, by Senator Cessna, a bill for an act to repeal chapter thirty-five (35), acts of the Thirty-ninth (39) General Assembly (S. C. C. title XXI, chap. 1A), relating to the making of loans in sums of three hundred dollars (\$300) or less at three and one-half per cent ($3\frac{1}{2}\%$) interest per month.

Read first and second times and referred to committee on banks and banking.

Senate File No. 414, by Senator Bergman, a bill for an act to amend section two thousand five hundred fifty-one (2551), supplemental supplement to the code, 1915, (C. C. 1124), relating to the use of artificial ambushes.

Read first and second times and referred to committee on fish and game.

Senate File No. 415, by Senator Buser, a bill for an act to amend the law as it appears in section one thousand five (1005), supplement to the code of 1897, (C. C. sec. 4423) by providing a millage tax levy for cemetery maintenance purposes.

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

Senate File No. 416, by Senator Brookhart, a bill for an act to amend section fifteen hundred twenty-seven-s3, (1527-s3), supplemental supplement to the code, 1915, (C. C. sec. 2872), relating to the qualification, employment, salary and discharge of county engineers.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 417, by Senator Brookhart, a bill for an act to amend section one (1), chapter thirty-eight (38) of the Thirty-eighth General Assembly (C. C. sec. 7806), relating to notice for probating wills.

Read first and second times and referred to committee on judiciary No. 2.

PROOF OF PUBLICATION

PROPOSED BILL FOR THE LEGALIZATION OF THE WARRANTS AND BONDS OF THE CITY OF COUNCIL BLUFFS, IOWA.

A Bill for an Act to Legalize Certain Warrants and the Issuance and Sale of Negotiable Bonds Funding Said Warrants, of the City of Council Bluffs, Iowa.

Whereas, The city of Council Bluffs, in the county of Pottawattamie, State of Iowa, by its city council did heretofore authorize and incur ex-

penditures in the sum of one hundred eighty thousand dollars (\$180,000), for corporate purposes, as permitted by law, and did issue warrants of said city in like amount to evidence such indebtedness, in the manner and form required by law; and

Whereas, Said expenditures were made for proper corporate purposes and the indebtedness of said city at the time said warrants were issued did not, and does not at this time, exceed the constitutional limitations; and

Whereas, At a properly convened meeting of the city council of said city, held on January 22, 1923, a resolution entitled "Resolution Authorizing the Issuance of One Hundred Eighty Thousand Dollar Funding Bonds," was adopted for the purpose of funding the indebtedness represented by the aforesaid warrants; and

Whereas, Doubts have arisen concerning the legality or validity of the aforesaid warrants or a portion thereof on the ground that the indebtedness which said warrants evidence or a portion thereof was contracted in excess of the statutory limitation on indebtedness; and

Whereas, Doubts have arisen concerning the legality of the aforesaid warrants because the expenditures or a portion thereof, evidenced thereby, were contracted in excess of the appropriations theretofore made for the funds against which said warrants were drawn; and

Whereas, Doubts have arisen concerning the legality or validity of aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or a portion thereof were contracted in excess of said city's authorized annual revenues; and

Whereas, Doubts have arisen concerning the legality or validity of aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or a portion thereof were contracted in excess of said city's annual revenue actually levied; and

Whereas, Doubts have arisen concerning the legality or validity of the aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or a portion thereof were not provided for in said city's annual appropriations; and

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:

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That the acts of the city council of the city of Council Bluffs, Iowa, in making expenditures for said city, issuing warrants therefor in the sum of one hundred eighty thousand dollars (\$180,000), as aforesaid, and authorizing and directing the issuance and sale of negotiable bonds in the sum of one hundred eighty thousand dollars (\$180,000), for the purpose of funding the aforesaid warrants, be and the same are hereby legalized and validated.

Section 2. That the aforesaid warrants of the city of Council Bluffs, Iowa, in the aggregate sum of one hundred eighty thousand dollars (\$180,000), be and the same are hereby legalized and declared to be valid, legal and subsisting obligations of said city.

Section 3. That the funding bonds of the city of Council Bluffs, Iowa, in the aggregate sum of one hundred eighty thousand dollars (\$180,000), authorized and directed to be issued and sold by said resolution for the purpose of funding the aforesaid warrants, be and the same are hereby legalized and when sold as by law provided, shall be the valid, legal and subsisting obligations of said city of Council Bluffs.

Section 4. Nothing in this act shall affect pending litigation.

Section 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, a newspaper published in the city of Des Moines, Iowa, and the Council Bluffs Nonpareil, a newspaper published in the city of Council Bluffs, Iowa, without expense to the state.

State of Iowa, Pottawattamie County, ss:

I, F. H. Brown, on my oath do solemnly swear that I am the foreman of the COUNCIL BLUFFS DAILY NONPAREIL, a newspaper issued DAILY, and printed in said county; that the annexed notice was published in said newspaper for one issue, as follows: The first publication thereof being on the Twenty-fourth day of January, 1923.

Signed in my presence by the said E. H. Brown, and by him sworn to before me this Twenty-fifth day of January, A. D. 1923.

Witness my hand and Notarial Seal.

ORA L. TAYLOR, Notary Public.

On motion of Senator Brookins the Senate adjourned until 11 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 8, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. Geo. Wood, pastor of St. Paul's Universalist Church of Webster City, Iowa.

On motion of Senator Shaff rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Smith from the Farm Bureau of Adair county opposing Senate File No. 294 revoking aid to county agents and farm bureaus. County and township affairs.

By Senator Bowman from teachers of Cedar Falls endorsing the teachers' annuity bill. Schools.

By Senator Abben from the board of education of Ocheyedan protesting the proposed change in the high school tuition law. Schools.

By Senator Fulton from the board of education of Batavia protesting the proposed change in the high school tuition law. Schools.

By Senator Mantz from the Audubon County Teachers' Association endorsing the teachers' annuity bill. Schools.

Senator Stoddard presented the following petitions: from the Sioux City Teachers' Club and the Administration Club of the Sioux City schools opposing the bill replacing county superintendents upon an elective basis; from the Zetetic Club endorsing the teachers' annuity bill; from the Laymen's League of the Unitarian church endorsing the establishment of additional normal schools, and urging acceptance of the proffered gifts to the university hospital. All were referred to the committee on schools.

Senator Stoddard also presented a petition from the Sioux City Trades Assembly urging support of Senate File No. 299, relative to elections. Elections.

By Senator Wichman from the Britt Shippers Association endorsing the proposed gasoline tax. Ways and means.

By Senator Wichman from members of the First Church of Christ, Scientist, Mason City, relative to Senate Files 42, 92, 260, and 262. Public health.

By Senator Slosson from citizens of Buffalo Center relative to Senate Files 42, 92, and 317. Public health.

By Senator Caldwell from Rose Hill Camp No. 3629, M. W. A., protesting the Richmond bill. Insurance.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Brookhart, for the day, on request of Senator Slosson; Senator Scott, for the day, on request of Senator Hartman; Senator Darting, for the day, on request of Senator Haskell; Senator Olson, for the day, on request of Senator Banta; Senator Chase, for the day, on request of Senator Price; Senator Adams, for the day, on request of Senator Haskell; Senator Smith for the day on request of Senator Haskell.

INTRODUCTION OF BILLS

Senate File No. 418, by Senator Romkey, a bill for an act to repeal chapter one hundred ten, acts of the Thirty-ninth General Assembly (S. C. C. 3044-a1, 3044-a2), relative to standard widths of sleighs and sleds.

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

Senate File No. 419, by Senator Bergman, a bill for an act to repeal sections fifty-three hundred forty-two (5342) to fifty-three hundred forty-four (5344), inclusive, of the code (C. C. 9403, 9404, 9405) relating to change of place of trial in criminal cases, and to enact a substitute therefor.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 420, by Senator Horchem, a bill for an act making section one thousand fifty-three (1053) of the code of 1897 applicable to cities organized under chapter 14-D of the supplement to the code, 1915.

Read first and second times 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. 146, a bill for an act to amend, revise and codify chapter eighteen (18) of title twelve (12) of the compiled code of Iowa, relating to bounties on wild animals.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 152, a bill for an act to amend, revise and codify chapter twenty-four (24) of title twelve (12) of the compiled code of Iowa, relating to township halls.

Also, 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 to amend, revise, and codify sections two thousand seven hundred eighty-eight (2788) to two thousand seven hundred ninety-three (2793), inclusive, of the compiled code of Iowa, relating to education and the Iowa geological survey.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 146, a bill for an act to amend, revise and codify chapter eighteen (18) of title twelve (12) of the compiled code of Iowa, relating to bounties on wild animals.

Read first and second times and referred to committee on county and township affairs.

House File No. 152, a bill for an act to amend, revise and codify chapter twenty-four (24) of title twelve (12) of the compiled code of Iowa, relating to township halls.

Read first and second times and referred to committee on county and township affairs.

House File No. 116, a bill for an act to amend, revise, and codify sections two thousand seven hundred eighty-eight (2788) to two thousand seven hundred ninety-three (2793), inclusive, of the compiled code of Iowa, relating to education and the Iowa geological survey.

Read first and second times and referred to committee on conservation.

THIRD READING OF BILLS

On motion of Senator Baird, Senate File No. 382, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Council Bluffs, 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 Baird moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Fulton	Mantz	Slosson
Baird	Gilchrist	Mead	Snook
Bergman	Goodwin	Newberry	Stoddard
Bowman	Hale	Perkins	Thurston
Brookins	Hartman	Reed	Tuck
Browne	Holdoegel	Rees	White
Caldwell	Horchem	Romkey	Wichman
Campbell	Johnston	Shaff	
Ethell	McIntosh	Shane	

Nays, none.

Absent or not voting, 16.

Adams	Cessna	Haskell	Price
Banta	Chase	Kimberly	Scott
Brookhart	Darting	Nelson	Shinn
Buser	Dutcher	Olson	Smith

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

On motion of Senator Wichman, Senate File No. 386, a bill for an act to authorize courts to require security from the husband in cases where alimony or other allowance is ordered for benefit of wife or children, and to authorize punishment for contempt for disobedience to order of court in such matters, 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:

"Section 1. That in cases where alimony or other allowance has been ordered or decreed by the court after hearing, to a party in a suit for divorce or separate maintenance, or to the children of such party, the court may, in its discretion, require sufficient security to be given by the party in default against whom the decree has been made, for the payment thereof according to the terms of the order or decree; and upon his or

her neglect or refusal to give such security, or upon his or her failure to pay such alimony or allowance, the court may sequester his or her personal estate and the rents and profits of his or her personal estate and the rents and profits of his or her real estate and may appoint a receiver thereof and cause such personal estate and such rents and profits to be applied according to the terms of such order or decree. If such party in default against whom the decree is obtained has an income from any source sufficient to enable him or her to pay such alimony or allowance and fails and refuses to pay the same, the court may order him or her to pay such allowance for the use of the other party or for the use of his or her children or for the use of all of them. And if any person or party shall disobey such order he or she may be punished by the court as for contempt".

Also that the title be amended to read as follows: "A bill for an act to authorize courts to require security for the payment of alimony or other allowance in divorce matters or in suits for separate maintenance and to authorize punishment for contempt for disobedience to the order of court in such matters".

The bill was read for information.

Senator Wichman moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Fulton	Mantz	Slosson
Baird	Gilchrist	Mead	Snook
Banta	Goodwin	Nelson	Stoddard
Bergman	Hale	Newberry	Thurston
Bowman	Hartman	Perkins	Tuck
Brookins	Haskell	Reed	White
Browne	Holdoegel	Rees	Wichman
Caldwell	Horchem	Romkey	
Campbell	Johnston	Shaff	
Dutcher	McIntosh	Shane	

Nays, 1.

Price

Absent or not voting, 12.

Adams	Cessna	Ethell	Scott
Brookhart	Chase	Kimberly	Shinn
Buser	Darting	Olson	Smith

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was adopted.

On motion of Senator Wichman, Senate File No. 282, a bill for an act to legalize the proceedings of the board of supervisors of Cerro Gordo county, Iowa, in calling an election authorizing the issuance of bonds in the sum of fifty thousand dollars (\$50,000.00) to pay for the construction of a new county home building, and to

legalize said election and all proceedings connected therewith and to validate 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 Wichman moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Abben	Ethell	Mantz	Slosson
Baird	Fulton	Nelson	Smith
Banta	Gilchrist	Newberry	Snook
Bergman	Goodwin	Perkins	Stoddard
Bowman	Hale	Reed	Thurston
Brookins	Hartman	Rees	Tuck
Browne	Holdoegel	Romkey	White
Buser	Horchem	Shaff	Wichman
Caldwell	Johnston	Shane	
Campbell	McIntosh	Shinn	

Nays, none.

Absent or not voting, 12.

Adams	Chase	Haskell	Olson
Brookhart	Darting	Kimberly	Price
Cessna	Dutcher	Mead	Scott

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

COMMITTEE FROM THE HOUSE

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 CONVENTION

As per concurrent resolution duly adopted, the joint session was called to order, Lieutenant-Governor John Hammill, President of the Senate, presiding.

The President announced a quorum present and the joint convention duly organized.

E. O. Wallace, scout commissioner of Des Moines, and John H. Piper, regional director of the Boy Scout movement of America were escorted to the Speaker's station.

The oath of Tenderfoot Boy Scouts was administered by Mr. Wallace to Governor N. E. Kendall, Lieutenant-Governor John Hammill and Speaker of the House J. H. Anderson.

Lieutenant-Governor Hammill then presented John H. Piper, regional director of the Boy Scout movement of America, who then addressed the joint convention relative to the purposes and accomplishments of the Boy Scout movement.

Diltz of Polk moved that an invitation be extended at this time to Mrs. D. Pirie Beyea (familiarily known as Mother Beyea) to address the joint convention.

Motion prevailed and Mother Beyea was escorted to the Speaker's station and briefly addressed the joint convention under the auspices of the nurses' bureau of the Iowa State Board of Health.

Healy of Hancock moved that the joint session be now dissolved. Motion prevailed.

Senate returned to the Senate chamber and resumed session.

On motion of Senator Price the Senate adjourned until 1 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

THIRD READING OF BILLS

On motion of Senator Tuck, Senate File No. 304, a bill for an act to amend chapter 316, acts of the 38th G. A. (C. C. secs. 3653 and 3654 and 3655) relating to sanitary conditions in cities and towns and granting additional powers to cities and towns and boards of health, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Tuck moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 28.

Abben
Baird
Banta

Bergman
Brookins
Caldwell

Campbell
Cessna
Ethell

Gilchrist
Hartman
Haskell

Johnston	Newberry	Shinn	Thurston
McIntosh	Perkins	Slosson	Tuck
Mead	Shaff	Snook	White
Nelson	Shane	Stoddard	Wichman

Nays, 1.

Price

Absent or not voting, 21.

Adams	Chase	Hale	Olson
Bowman	Darting	Holdoegel	Reed
Brookhart	Dutcher	Horchem	Rees
Browne	Fulton	Kimberly	Romkey
Buser	Goodwin	Mantz	Scott
			Smith

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

On motion of Senator Thurston, Senate File No. 338, a bill for an act to amend the law as it appears in section four hundred twenty-eight (428) of the code of eighteen hundred ninety-seven (1897) (C. C. Sec. 2827) relating to the powers of the board of supervisors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Price moved the vote by which the report of the committee on Senate File No. 337 was adopted be reconsidered.

Senator Newberry raised the point of order that it was too late to move the reconsideration at this hour.

The President held that the point was not well taken, as according to the rules a matter can be reconsidered on the same, or next legislative day.

Senator Price's motion prevailed.

Senator Fulton offered the following amendment and moved its adoption:

Amend by inserting in line 9 after the word "owner" the words "or owners where there are two or more tracts of land owned by different parties".

By unanimous consent on request of Senator Price a comma (,) was inserted after the word "owners".

On the motion of Senator Mantz further action on Senate File No. 338 was deferred.

On motion of Senator Johnston, Senate File No. 294, a bill for an act to amend section (1) of chapter thirty-six (36) of the

Thirty-eighth General Assembly (C. C. Sec. 1685) relating to the appropriation of funds of the county by the board of supervisors to farm improvement associations and providing for an election relating thereto and for levying a tax therefor, with report of committee recommending amendments and passage, was taken up and considered.

A minority report having been filed, Senator Shinn moved that the minority report, recommending indefinite postponement, be adopted.

Senator Buser raised the point of order that it is not the custom of the Senate to consider the adoption of a minority report.

The President held the point was well taken.

Senator Kimberly moved that further action on this bill be deferred and that it retain its place on the calendar. Motion lost.

Senator Shinn withdrew his previous motion and moved that the minority report be substituted for the majority report.

Senator Price raised the point of order that Senator Bowman was discussing the main bill when the question before the Senate was whether the minority report should be substituted for the majority report.

The President held that the point was not well taken as there was considerable latitude allowed for this discussion.

Senator Hale moved the previous question, which motion prevailed and the previous question was ordered.

Senator Shinn asked for a roll call.

Senator Johnston invoked rule 8.

On the question, "Shall the minority report be substituted for the majority report?" the vote was:

Ayes, 34.

Abben	Campbell	Horchem	Shane
Baird	Cessna	Mantz	Shinn
Banta	Fulton	Mead	Slosson
Bergman	Gilchrist	Nelson	Stoddard
Bowman	Goodwin	Newberry	Thurston
Brookins	Hale	Perkins	White
Browne	Hartman	Price	Wichman
Buser	Haskell	Rees	
Caldwell	Holdoegel	Shaff	

Nays, 5.

Ethell	McIntosh	Romkey	Snook
Johnston			

Absent or not voting, 11.

Adams	Darting	Olson	Smith
Brookhart	Dutcher	Reed	Tuck
Chase	Kimberly	Scott	

The substitution was made.

Senator Johnston asked for a roll call and invoked rule 8.

On the question, "Shall the bill be indefinitely postponed?" the vote was:

Ayes, 34.

Abben	Campbell	Holdoegel	Shane
Baird	Cessna	Horchem	Shinn
Banta	Dutcher	Mantz	Slosson
Bergman	Fulton	Nelson	Stoddard
Bowman	Gilchrist	Newberry	Thurston
Brookins	Goodwin	Perkins	White
Browne	Hale	Price	Wichman
Buser	Hartman	Rees	
Caldwell	Haskell	Shaff	

Nays, 5.

Ethell	McIntosh	Romkey	Snook
Johnston			

Absent or not voting, 11.

Adams	Darting	Olson	Smith
Brookhart	Kimberly	Reed	Tuck
Chase	Mead	Scott	

The bill was indefinitely postponed.

Senator Campbell moved that the vote by which the bill was indefinitely postponed be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

AMENDMENT FILED

Senator Price filed the following amendment to Senate File No. 338:

Amend Senate File 338 by inserting after the word "affected" in line 9, the words, "and where there are two or more tracts of land owned by different parties, one such appraiser shall be selected by said owners jointly, as such appraiser".

The Journal of February 7th was corrected and approved.

On motion of Senator Holdoegel the Senate adjourned until 11 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 9, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Col. L. W. Ainsworth, Secretary of the Senate.

On motion of Senator Cessna rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Haskell for the day, on request of Senator Price; Senator Smith for the day, on request of Senator Goodwin.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Scott from the 20th Century Club of Marshalltown endorsing the teachers' annuity bill. Schools.

By Senator Scott from the Marshall County League of Women Voters endorsing the teachers' annuity bill. Schools.

INTRODUCTION OF BILLS

Senate File No. 421, by Senator McIntosh, a bill for an act to legalize certain elections, ordinances and acts of the town of Grand River, Decatur county, Iowa.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 422, by Senator Ethell, a bill for an act to amend chapter eighty-five (85) acts of the Thirty-eighth General Assembly (C. C. 3974) relating to the powers of cities and towns with reference to water works, heating plants, gas works or electric light or electric power plants.

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

Senate File No. 423, by Senator Goodwin, a bill for an act to compensate one Ross Seward for injuries received while an inmate of the state penitentiary at Fort Madison, Iowa, and making an appropriation therefor.

Read first and second times and referred to committee on claims.

Senate File No. 424, by Senator Goodwin, a bill for an act exempting certain societies and associations of employes from the provisions of chapters four (4) to nine (9) inclusive of title nine (IX) of the code as amended.

Read first and second times and referred to committee on insurance.

Senate File No. 425, by Senator Goodwin, a bill for an act to provide that the railroad companies in this state, where a dangerous grade crossing is eliminated by a change in the highway, shall pay the just and reasonable portion of the expense, as determined by the railroad commissioners.

Read first and second times and referred to committee on railroads.

CONCURRENT RESOLUTION

Senator Cessna offered the following resolution:

Be It Resolved by the Senate, the House concurring:

Whereas, There is urgent need for funds for the renewal of farm loans in Iowa, maturing March 1, 1923, and

Whereas, There is now pending in the House of Representatives in the Congress of the United States, a measure to increase the maximum amount which can be loaned to any one person as provided in the federal farm loan act, from \$10,000 to \$25,000, and

Whereas, The present maximum is entirely inadequate to meet the needs of the average farmer borrower of the corn belt, therefore,

Be It Resolved, That the Fortieth General Assembly of the state of Iowa now in session urge upon members of the House of Representatives in the Congress of the United States to use every honorable means to secure the enactment of this measure into law at the earliest possible date.

Be It Further Resolved, That the secretary of the Senate, and chief

clerk of the House, be instructed to send a copy of these resolutions to the Speaker of the House of Representatives of the United States.

By unanimous consent on the request of Senator Cessna the resolution was taken up and considered. Senator Cessna moved its adoption.

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

Ayes, 37.

Abben	Chase	Mantz	Slosson
Baird	Dutcher	Mead	Snook
Bergman	Ethell	Nelson	Stoddard
Bowman	Fulton	Newberry	Thurston
Brookins	Gilchrist	Perkins	Tuck
Browne	Goodwin	Price	White
Buser	Hale	Reed	Wichman
Caldwell	Hartman	Scott	
Campbell	Kimberly	Shaff	
Cessna	McIntosh	Shane	

Nays, none.

Absent or not voting, 13.

Adams	Haskell	Olson	Smith
Banta	Holdoegel	Rees	
Brookhart	Horchem	Romkey	
Darting	Johnston	Shinn	

The resolution having received a constitutional majority was declared to have been adopted 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 bill in which the concurrence of the Senate is asked:

House File No. 286, a bill for an act to amend section one thousand seventy-two (1072) supplement to the code, 1913, (C. C. 357 and 2478) as amended by chapter fifty-six, acts of the Thirty-eighth General Assembly and section two thousand seven hundred thirty-four-b-one (2734-b1) of the supplement to the code, 1913, (C. C. 2480), relating to the election of county superintendent of schools.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 278, a bill for an act to repeal section four (4), chapter three hundred thirty-six (336), and amend section five (5) of chapter three hundred thirty-six (336), acts of the Thirty-ninth (39th) General Assembly relating to war emergency and temple of justice funds.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 286, a bill for an act to amend section one thousand seventy-two (1072) supplement to the code, 1913, (C. C. 357 and 2478) as amended by chapter fifty-six, acts of the Thirty-eighth General Assembly and section two thousand seven hundred thirty-four-b-one (2734 b1) of the supplement to the code, 1913, (C. C. 2480) relating to the election of county superintendents of schools.

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

House File No. 278, a bill for an act to repeal section four (4), chapter three hundred thirty-six (336), and amend section five (5) of chapter three hundred thirty-six (336), acts of the Thirty-ninth (39th) General Assembly relating to war emergency and temple of justice funds.

Read first and second time.

On motion of Senator Cessna, House File No. 278 was substituted for Senate File No. 276.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that he had signed Senate Files 83, 103, and 81.

APPRECIATION FROM MRS. ADAMS

The following letter was received from Mrs. Senator Adams:
Iowa State Senate,

Des Moines.

The gorgeous flowers you so kindly sent to Mr. Adams arrived when he was able to admire and enjoy them. A hospital room is not attractive, so the flowers are a wonderful asset with all their beauty and fragrance. Mr. Adams and I both appreciate to the utmost your kindness and generosity in remembering him in this charming way, and we ask you to accept our sincere thanks.

Gratefully yours,

IRMA D. ADAMS.

Fort Des Moines Hotel,
February Elghth.

REPORTS OF COMMITTEES

Senator Mantz, from the committee on educational institutions, submitted the following report:

MR. PRESIDENT: Your committee on educational institutions to whom was referred Senate File No. 93, a bill for an act to amend, revise and codify sections two thousand three hundred ninety-six (2396), two thousand three hundred ninety-seven (2397), and two thousand four hundred fifteen (2415) of the compiled code of Iowa, relating to the Iowa state college of agriculture and mechanic arts, beg leave to report it has had the same under consideration and recommends the same do pass.

H. J. MANTZ, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on educational institutions to whom was referred Senate File No. 95, a bill for an act to amend, revise and codify sections two thousand four hundred thirty-eight (2438) and two thousand four hundred thirty-nine (2439) of the compiled code of Iowa, relating to the school for the blind, beg leave to report it has had the same under consideration and recommends the same do pass.

H. J. MANTZ, *Chairman*.

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Newberry, House Joint Resolution No. 5, joint resolution proposing to amend section four (4), article three (3) of the constitution of the state of Iowa, relating to the qualification of members of the House of Representatives, and to provide for its reference and publication, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

HOUSE JOINT RESOLUTION

Joint resolution proposing to amend section four (4), article three (3) of the constitution of the state of Iowa, relating to the qualifications of members of the House of Representatives, and to provide for its reference and publication.

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

Section 1. That the following amendment to the constitution of the state, be and the same is hereby proposed, viz:

Strike out the word "male" from Section four (4) of article three (3) of said constitution, relating to the legislative department.

Resolved further, That the foregoing proposed amendment to the constitution of the state of Iowa be and the same hereby is referred to the Legislature, to be chosen at the next general election for members of the

General Assembly, and that the Secretary of State cause the same to be published once each week for three months previous to the day of such election, in two weekly newspapers of general circulation in each congressional district in the state.

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

Ayes, 44.

Abben	Darting	Mantz	Shinn
Baird	Dutcher	Mead	Slosson
Banta	Ethell	Nelson	Snook
Bergman	Fulton	Newberry	Stoddard
Bowman	Gilchrist	Perkins	Thurston
Brookins	Goodwin	Price	Tuck
Browne	Hale	Reed	White
Buser	Hartman	Rees	Wichman
Caldwell	Horchem	Romkey	
Campbell	Johnston	Scott	
Cessna	Kimberly	Shaff	
Chase	McIntosh	Shane	

Nays, none.

Absent or not voting, 6.

Adams	Haskell	Olson	Smith
Brookhart	Holdoegel		

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

On motion of Senator Stoddard, House File No. 328, a bill for an act to amend section ten hundred fifty-six-a fifty-nine (1056-a59) supplement to the code 1913, (C. C. 4264) relating to tax levies in cities under commission form of government, 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 reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Abben	Chase	Horchem	Scott
Baird	Darting	Johnston	Shaff
Banta	Dutcher	Kimberly	Shane
Bergman	Ethell	McIntosh	Shinn
Brookins	Fulton	Mantz	Slosson
Browne	Gilchrist	Mead	Snook
Buser	Goodwin	Newberry	Stoddard
Caldwell	Hale	Reed	Thurston
Campbell	Hartman	Rees	Tuck
Cessna	Holdoegel	Romkey	Wichman

Nays, none.

Absent or not voting, 10.

Adams	Haskell	Perkins	White
Bowman	Nelson	Price	
Brookhart	Olson	Smith	

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports it has examined and finds correctly enrolled Senate Files Nos. 249 and 37.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

THIRD READING OF BILLS

On motion of Senator Cessna, House File No. 278, a bill for an act to amend chapter three hundred thirty-six (336), acts of the Thirty-ninth General Assembly, relating to war emergency and temple of justice funds, was taken up, and considered, having been substituted for Senate File No. 276. Further action deferred.

COMMITTEE FROM THE HOUSE

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 CONVENTION

As per concurrent resolution duly adopted, the joint session was called to order, Lieutenant-governor John Hammill, President of the Senate, presiding.

The President announced a quorum present and the joint convention duly organized.

Gilbertson of Winneshiek moved that a committee of three be appointed, two from the House and one from the Senate to

notify Governor Preus of Minnesota that the joint session was ready to receive him.

Motion prevailed and the President appointed as such committee Representatives Gilbertson of Winneshiek and Hauge of Polk and Senator Reed of Howard.

The committee reported and announced the arrival of Governor Preus, accompanied by Governor Kendall.

Governors Preus and Kendall were escorted to the Speaker's station.

Lieutenant-Governor Hammill then presented Governor J. O. A. Preus of Minnesota, who addressed the joint convention.

Senator Newberry of Clayton moved that the joint session be now dissolved.

Motion prevailed.

Senate returned to the Senate Chamber and resumed session.

On motion of Senator Mantz Senate adjourned until 1:00 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

The Senate resumed consideration of House File No. 278.

The bill was read for information.

On motion of Senator Cessna the rule was suspended under which no bill may be read a second and third time the same day.

Senator Cessna moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Abben	Dutcher	Johnston	Scott
Baird	Fulton	McIntosh	Shane
Bergman	Gilchrist	Mantz	Shinn
Brookins	Goodwin	Mead	Slosson
Caldwell	Hale	Newberry	Snook
Campbell	Hartman	Olson	Stoddard
Cessna	Holdoegel	Price	White
Darting	Horchem	Reed	Wichman

Nays, none.

Absent or not voting, 18.

Adams	Bowman	Browne	Chase
Banta	Brookhart	Buser	Ethell

Haskell
Kimberly
Nelson

Perkins
Rees
Romkey

Shaff
Smith
Thurston

Tuck

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

By unanimous consent Senator Cessna withdrew Senate File No. 276 from further consideration.

On motion of Senator Perkins House File No. 36, a bill for an act to amend, revise, and codify chapter twenty-four (24) of title four (4) of the supplement to the compiled code of Iowa, relating to the right of soldiers, sailors, marines and nurses to preference in appointment in office, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Perkins moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben
Baird
Bergman
Brookhart
Brookins
Buser
Caldwell
Campbell
Cessna

Darting
Dutcher
Ethell
Fulton
Gilchrist
Goodwin
Hale
Hartman
Holdoegel

Horchem
Johnston
McIntosh
Mantz
Mead
Newberry
Olson
Perkins
Reed

Rees
Scott
Shane
Slosson
Snook
Stoddard
White
Wichman

Nays, none.

Absent or not voting, 15.

Adams
Banta
Bowman
Browne

Chase
Haskell
Kimberly
Nelson

Price
Romkey
Shaff
Shinn

Smith
Thurston
Tuck

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

On motion of Senator Reed, House File No. 38, a bill for an act to amend, revise and codify section six hundred ninety-four (694), six hundred ninety-eight (698), seven hundred (700) and seven hundred three (703) of the compiled code of Iowa, relating to notaries public, 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 offered the following amendments and moved their adoption:

Amend by adding after the word "to" in the third line of section 4a the words "or take acknowledgments of".

Also, amend by adding after the word "interest" in line 4 of section 4a the following: "and to take and certify acknowledgments of instruments made to such corporations".

On motion of Senator Ethell, House File No. 38, with pending amendments, was rereferred to the committee on judiciary No. 1.

On motion of Senator Mantz, House File No. 204, a bill for an act to amend, revise and codify section fifty-eight hundred ninety-seven (5897) of the compiled code of Iowa, relating to the consideration of written contracts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Mantz moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Dutcher	Mantz	Shane
Baird	Ethell	Mead	Shinn
Bergman	Fulton	Nelson	Slosson
Brookhart	Goodwin	Newberry	Snook
Browne	Hale	Olson	Stoddard
Buser	Hartman	Perkins	Thurston
Caldwell	Holdoegel	Reed	Tuck
Campbell	Horchem	Rees	White
Chase	Johnston	Romkey	Wichman
Darting	McIntosh	Scott	

Nays, none.

Absent or not voting, 11.

Adams	Brookins	Haskell	Shaff
Banta	Cessna	Kimberly	Smith
Bowman	Gilchrist	Price	

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

On motion of Senator Ethell, Senate File No. 131, a bill for an act to amend, revise and codify sections thirty-one hundred forty-six (3146), thirty-one hundred forty-seven (3147) and thirty-one

hundred fifty-eight (3158) of the compiled code of Iowa, relating to the county auditor, 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 sub-section 2, section 2 of the bill and in lieu thereof inserting the following: "The various reports as required by law to be made to the county board of supervisors of magistrates and other officers including forfeited recognizances in their offices, fines, penalties, forfeitures imposed in their respective courts, and forfeited appearance bonds in criminal cases all of which by law go into the county treasury for the benefit of the school fund."

By unanimous consent on request of Senator Buser the figure "2" in line 1 of the amendment following the word "section" was stricken out and the figure "3" inserted in lieu thereof.

The bill was read for information.

Senator Buser moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Ethell	Mead	Shinn
Baird	Fulton	Nelson	Slosson
Bergman	Gilchrist	Newberry	Snook
Brookins	Goodwin	Olson	Stoddard
Browne	Hale	Perkins	Thurston
Buser	Hartman	Reed	Tuck
Campbell	Holdoegel	Rees	White
Cessna	Horchem	Scott	
Chase	McIntosh	Shaff	
Dutcher	Mantz	Shane	

Nays, none.

Absent or not voting, 13.

Adams	Caldwell	Kimberly	Wichman
Banta	Darting	Price	
Bowman	Haskell	Romkey	
Brookhart	Johnston	Smith	

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

On motion of Senator Ethell, Senate File No. 141, a bill for an act to amend, revise and codify sections thirty-three hundred two (3302) and thirty-three hundred four (3304) of the compiled code of Iowa, relating to county homes, with report of committee recom-

mending passage, was taken up, considered, and the report of the committee adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking out of lines 4 and 5, of section 2, the words "itemizing the sum and stating the source thereof" and the comma following.

The amendment was lost.

The bill was read for information.

Senator Buser moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Chase	McIntosh	Shaff
Baird	Dutcher	Mantz	Shane
Bergman	Ethell	Mead	Shinn
Brookhart	Fulton	Nelson	Slosson
Brookins	Gilchrist	Olson	Snook
Browne	Goodwin	Perkins	Stoddard
Buser	Hale	Reed	Tuck
Caldwell	Hartman	Rees	White
Campbell	Horchem	Ronkey	Wichman
Cessna	Johnston	Scott	

Nays, none.

Absent or not voting, 11.

Adams	Darting	Kimberly	Smith
Banta	Haskell	Newberry	Thurston
Bowman	Holdoegel	Price	

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

On motion of Senator Shane, Senate File No. 157, a bill for an act to amend, revise and codify sections three thousand five hundred eighty-four (3584) and three thousand five hundred eighty-seven (3587) of the compiled code of Iowa, relating to municipal corporations, 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 reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Cessna	Johnston	Scott
Baird	Chase	McIntosh	Shaff
Banta	Dutcher	Mead	Shane
Bergman	Ethell	Nelson	Shinn
Brookhart	Gilchrist	Newberry	Snook
Brookins	Goodwin	Perkins	Stoddard
Browne	Hale	Reed	Tuck
Caldwell	Holdoegel	Rees	White
Campbell	Horchem	Romkey	Wichman

Nays, none.

Absent or not voting, 14.

Adams	Fulton	Mantz	Smith
Bowman	Hartman	Olson	Thurston
Buser	Haskell	Price	
Darting	Kimberly	Slosson	

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

On motion of Senator Goodwin House File No. 162, a bill for an act to amend, revise and codify section three thousand seven hundred thirty (3730) of the compiled code of Iowa, relating to municipal corporations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Abben	Chase	McIntosh	Shinn
Baird	Darting	Mantz	Slosson
Banta	Dutcher	Mead	Snook
Bergman	Ethell	Nelson	Stoddard
Bowman	Gilchrist	Newberry	Thurston
Brookhart	Goodwin	Perkins	Tuck
Brookins	Hale	Reed	White
Browne	Hartman	Rees	Wichman
Buser	Holdoegel	Romkey	
Caldwell	Horchem	Scott	
Campbell	Johnston	Shaff	

Nays, none.

Absent or not voting, 9.

Adams
Cessna
Fulton

Haskell
Kimberly
Olson

Price
Shane

Smith

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

On motion of Senator Ethell Senate File No. 147, a bill for an act to amend, revise and codify chapter nineteen (19) of title twelve (12) of the compiled code of Iowa, relating to the relocation of county seats, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hale moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Abben
Baird
Banta
Bergman
Brookhart
Brookins
Buser
Caldwell

Campbell
Dutcher
Gilchrist
Hale
Hartman
Horchem
McIntosh
Mantz

Mead
Nelson
Newberry
Perkins
Reed
Rees
Scott
Shaff

Shinn
Slosson
Snook
Stoddard
Tuck
White
Wichman

Nays, none.

Absent or not voting, 19.

Adams
Bowman
Browne
Cessna
Chase

Darting
Ethell
Fulton
Goodwin
Haskell

Holdoegel
Johnston
Kimberly
Olson
Price

Romkey
Shane
Smith
Thurston

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

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 37, and 249.

INTRODUCTION OF BILLS

Senate File No. 426, by Senator Horchem, a bill for an act to consolidate the educational board of examiners, the state board for vocational education and the department of public instruction with the state board of education, by repealing chapter three hundred eighteen (318) acts of the Thirty-seventh General Assembly (C. C. sec. 352) and section twenty-six hundred twenty-eight (2628) of the code as amended by chapter three hundred forty (340) acts of the Thirty-seventh General Assembly and chapter two hundred forty-eight (248) acts of the Thirty-ninth General Assembly (S. C. C. 2295) and section twenty-six hundred thirtyfour-a (2634-a) as amended by chapter two hundred nine (209) acts of the Thirty-ninth General Assembly (S. C. C. 2306) and enacting a substitute therefor, and by amending section twenty-six hundred twenty-seven-c (2627-c) supplement of 1913 to the code (C. C. sec. 2267) as amended by chapter two hundred ninety-eight (298) acts of the Thirty-eighth General Assembly; section twenty-six hundred twenty-seven-g (2627-g) supplement of 1913 to the code (C. C. 2276); and chapter two hundred ninety (290) acts of the Thirty-seventh General Assembly as amended by chapter three hundred thirty-seven (337) acts of the Thirty-eighth General Assembly and chapter two hundred ninety-six (296) acts of the Thirty-ninth General Assembly (C. C. 2280); section twenty-six hundred thirty-b (2630-b) supplement of 1913 to the code (C. C. 2297); section twenty-six hundred thirty-four-f (2634-f) supplement of 1913 to the code (C. C. 2299); section twenty-six hundred thirty-four-fl (2634-fl) supplement of 1913 to the code (C. C. 2300); section twenty-six hundred thirty-four-g (2634-g) supplement of 1913 to the code (C. C. 2301); section twenty-six hundred thirty-c (2630-c) supplement of 1913 to the code (C. C. 2302); section twenty-six hundred thirty-four-h (2634-h) supplement of 1913 to the code (C. C. 2303); section twenty-six hundred thirty-four-hl (2634-hl) supplement of 1913 to the code (C. C. 2304); section twenty-six hundred thirty-four-b6 (2634-b6) supplement of 1913 to the code (C. C. 2314); section twenty-seven hundred thirty-four-c (2734-c) supplement of 1913 to the code (C. C. 2481); section twenty-seven hundred thirty-four-g (2734-g) supplement of 1913 to the code (C. C. 2485); section twenty-seven hundred thirty-four-m (2734-m) supplement of 1913 to the code (C. C. 2490); section twenty-seven hundred thirty-four-p (2734-p) sup-

plement of 1913 to the code (C. C. 2493) as amended by chapter one hundred fifty-six (156) acts of the Thirty-eighth General Assembly; section twenty-seven hundred thirty-four-s (2734-s) supplement of 1913 to the code (C. C. 2497) as amended by chapter four hundred eight (408) acts of the Thirty-eighth General Assembly; section twenty-seven hundred thirty-four-u (2734-u) supplement of 1913 to the code (C. C. 2499); section twenty-seven hundred thirty-four-v (2734-v) supplement of 1913 to the code (C. C. 2500); section twenty-eight hundred twenty-three-p (2823-p) supplement of 1913 to the code (C. C. 2608); and chapter three hundred sixty-four (364) acts of the Thirty-eighth General Assembly (C. C. chapter 25).

Read first and second times and referred to committee on educational institutions.

Senate File No. 427, by Senator Baird, a bill for an act to repeal section eight hundred fifty-p (850-p) supplemental supplement to the code, 1915, (C. C. sec. 3684) as amended by chapter fifty-eight (58) of the laws of the Thirty-eighth General Assembly and by chapter twenty-six (26) of the laws of the Thirty-ninth General Assembly relating to tax levy for park purposes for the 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 and adopting a substitute therefor.

Read first and second times and referred to committee on conservation.

Senate File No. 428, by Senator Baird, a bill for an act to repeal chapter forty-six (46) of the laws of the Thirty-eighth (38th) General Assembly relating to a tax levy for park improvement purposes, and to enact a substitute therefor.

Read first and second times and referred to committee on conservation.

Senate File No. 429, by Senator Rees, 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 commissioners 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 times and referred to committee on telegraph and telephone.

AMENDMENTS FILED

Senator Thurston filed the following amendment to Senate File 338.

Amend Senate File 338 by striking out all of said bill after the colon (:) following the word, "therefor," in line seven (7) of section one (1), and by substituting therefor the following: "if for any reason, the board is unable to acquire such highway by agreement with the owner or owners, such owner or owners who are residents of the county shall be personally served in the manner original notices are required to be served, and such owner or owners who do not reside in said county shall be served by publishing a notice in some newspaper in the county, once each week for two weeks, but personal service outside of the county but within the state in the manner original notices are required to be served, shall be deemed personal service and shall take the place of published service, and in addition, notice shall be served in the manner original notices are required to be served upon the actual occupant of the land, if said land be occupied, notifying interested parties that three disinterested freeholders will be selected as appraisers, one by the board of supervisors, one by the owner or owners of the property affected, where there are two or more tracts affected, and one by the two so appointed, said notice to fix a definite date upon which the interested party or parties shall appear and name one appraiser, and in the event said owner or owners fail to appear, in person or by agent, or fail to agree upon the selection of an appraiser, the board of supervisors may appoint two of such appraisers who shall select a third appraiser".

The Journal of February 8th was corrected and approved.

On motion of Senator Price the Senate adjourned until 10:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 10, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. E. H. Reeman, pastor of the Unitarian church of Des Moines.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Thurston for the day, on request of Senator Campbell; Senator Haskell for the day, on request of Senator Hale; Senator Johnston for the day, on request of Senator Hale; Senator Tuck for the day, on request of Senator Holdoegel; Senator Goodwin for the day, on request of Senator Price; Senator Smith for the day, on request of Senator Price; Senator Dutcher for the day, on request of Senator Banta; Senator Ethell for the day, on request of Senator Cessna; Senator Olson for the day, on request of Senator Banta; Senator Scott for the day, on request of Senator Hartman; Senator Romkey for the day, on request of Senator Price.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Caldwell from the Oskaloosa Women's Council endorsing the teachers' annuity bill. Schools.

By Senator Gilchrist from the Storm Lake Federation endorsing the Shephard-Towner bill, the county library bill, and the teachers' annuity bill. Public health, libraries, and schools.

By Senator Gilchrist from Alta Camp No. 3051, M. W. A., protesting the Richmond bill. Insurance.

By Senator McIntosh from the Amalgamated Association of Street and Electric Railway Employes of America, Ottumwa, endorsing Senate File 299. Elections.

By Senator Hartman from the teachers of Maynard Consolidated school protesting the proposed repeal of the minimum wage law for teachers. Schools.

INTRODUCTION OF BILLS

Senate File No. 430, by Senator Gilchrist, a bill for an act authorizing the trial court to hold a person acquitted of a crime when the evidence shows that such person is guilty of another and different crime, so that such matter may be submitted to the grand jury.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 431, by committee on suppression of intemperance, a bill for an act to repeal sections two thousand four hundred three (2403) (C. C. 963) and two thousand four hundred three-a (2403-a) (C. C. 964) of the supplement to the code of Iowa, 1913 relating to the sale of intoxicating liquors.

Read first and second times.

Senate File No. 432, by Senator Gilchrist, a bill for an act to amend section twelve hundred fifty-eight-c (1258-c) of the supplement to the code, 1913, as amended by chapter three hundred ninety-one (391) of the acts of the Thirty-seventh General Assembly (C. C. sec. 649) relating to the removal of public officers and to extend the provisions thereof to include appointive officers.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 433, by Senator Gilchrist, a bill for an act to amend section fifty-four hundred forty-eight (5448) of the supplement to the code, 1913 (C. C. sec. 9559), and section fifty-four hundred fifty-three (5453) of the code, 1897, (C. C. sec. 9564), relating to the time within which an appeal may be taken to the supreme court in criminal cases.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 434, by Senator Price, a bill for an act to amend the law as it appears in sections twenty-five hundred seventy-five-a-thirty-four (C. C. 1330), twenty-five hundred

seventy-five-a-forty-four (C. C. 1345) of the supplement to the code, 1913, relating to compensation of members.

Read first and second times and referred to committee on public health.

Senate File No. 435, by Senator Price, a bill for an act to amend section forty-seven fifty-eight (4758) of the code of 1897 relating to ravishment of imbecile females.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 436, by Senator Buser, a bill for an act to provide for the supervision and regulation of the service and rates of telephone copanies.

Read first and second times and referred to committee on telegraph and telephone.

Senate File No. 437, by Senator Gilchrist, a bill for an act to amend the law as it appears in section four thousand nine hundred and thirty-eight-a (4938-a) of the law as it appears in the supplement to the code, 1913, relative to lewd, immoral and lascivious acts with children, and providing the penalty for the violation thereof.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 438, by Senator Gilchrist, a bill for an act to amend sections twenty-two hundred eighty (2280) and twenty-two hundred eighty-one (2281) of the compiled code, and to repeal section twenty-two hundred eighty-two (2282) of the compiled code, with respect to the state board for vocational education.

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

REPORTS OF COMMITTEES

Senator McIntosh, 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. 263, a bill for an act to prohibit the buying and receiving of intoxicating liquors by any person, either directly or indirectly, and to provide a penalty therefor, beg leave to report

it has had the same under consideration and recommends the same be indefinitely postponed.

J. A. McINTOSH, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on suppression of intemperance to whom was referred Senate File No. 265, a bill for an act to provide for the seizure and disposition of any vehicle containing intoxicating liquors which are being transported in violation of law, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

By adding the word "team" after the word "buggy" in line 3, and by inserting in line 4 right after the word "vehicle" the following "or other conveyance" and by striking out beginning in line 8 "vehicle and team, automobile, boat, air or water craft," and inserting in lieu thereof "wagon, buggy, team, automobile, water and air craft, vehicle,"

J. A. McINTOSH, *Chairman*.

Ordered passed on file.

Senator Hartman, 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. 283, a bill for an act to amend section two hundred twenty-seven (227) supplement to the code, 1915, (C. C. 6937), and to provide an additional judge for the twelfth judicial district, beg leave to report it has had the same under consideration and recommends the same do pass.

GEO. S. HARTMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on congressional, judicial and representative districts, to whom was referred Senate File No. 315, a bill for an act to amend section 227 of the supplemental supplement to the code, 1915 (C. C. sec. 6937), relating to the number of district judges in each district and providing that the number of judges in the 4th Judicial District shall be four (4), and providing for a method for filling the additional office created by this act, and for the election of a judge, etc., beg leave to report it has had the same under consideration and recommends the same do pass.

GEO. S. HARTMAN, *Chairman*.

Ordered passed on file.

Senator Reed, 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. 311, a bill for an act to amend section three hundred thirty-three (333) of the supplement to the code, 1913, (C. C. section

6990) relating to exemption from jury service, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the conjunction "and" following the word "op-tometrists" in line 6 of section one (1), and inserting the words "chiro-practors and osteopaths" in line 7 of section one (1), following the word "nurses".

CARL W. REED, *Chairman*.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports it has examined and finds correctly enrolled House Files Nos. 80, 289, and 343.

F. C. GILCHRIST, *Chairman Senate Committee*.

C. F. LETTS, *Chairman House Committee*.

Report adopted.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports it has on this 10th day of February, 1923, sent to the governor for his approval, Senate File No. 37 and Senate File No. 249.

F. C. GILCHRIST, *Chairman*.

Passed on file.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: H. F. 80, H. F. 289 and H. F. 343.

THIRD READING OF BILLS

On motion of Senator Mantz, Senate File No. 93, a bill for an act to amend, revise and codify sections two thousand three hundred ninety-six (2396), two thousand three hundred ninety-seven (2397), and two thousand four hundred fifteen (2415) of the compiled code of Iowa, relating to 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.

The bill was read for information.

Senator Cessna offered the following amendment and moved its adoption:

Amend by adding at the end of Section 2 the following: "non-resident tuition shall be fixed at \$150.00 or more per year."

On motion of Senator Shinn further consideration of Senate File No. 93 was deferred until Wednesday.

On motion of Senator Mantz, Senate File No. 95, a bill for an act to amend, revise and codify sections two thousand four hundred thirty-eight (2438) and two thousand four hundred thirty-nine (2439) of the compiled code of Iowa, relating to the school for the blind, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Baird moved that the reading just had be considered the third reading, which motion prevailed.

Senator Mantz invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 26.

Abben	Campbell	Mantz	Slosson
Baird	Darting	Mead	Snook
Banta	Gilchrist	Newberry	Stoddard
Bergman	Hale	Perkins	White
Brookhart	Hartman	Reed	Wichman
Brookins	Holdoegel	Shane	
Caldwell	Horchem	Shinn	

Nays, 6.

Browne	Cessna	Nelson	Rees
Buser	Fulton		

Absent or not voting, 18.

Adams	Goodwin	Olson	Smith
Bowman	Haskell	Price	Thurston
Chase	Johnston	Romkey	Tuck
Dutcher	Kimberly	Scott	
Ethell	McIntosh	Shaff	

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

The Journal of February 9th was corrected and approved.

On motion of Senator Price the Senate adjourned until 11 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 12, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. C. William Bast, pastor of the Congregational church of Perry.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Kimberly for the day, on request of Senator Haskell; Senator Gilchrist for the day, on request of Senator Holdoegel; Senator Banta for the day, on request of Senator Mantz; Senator Dutcher for the day, on request of Senator Stoddard; Senator Cessna for the day, on request of Senator Bergman. All other Senators not present were excused for the day on request of Senator Price.

The sergeant-at-arms and doorkeepers of the Senate, veterans of the Civil War, took seats at the desk for the Lincoln commemoration exercises, on request of President Hammill.

Commemoration addresses were delivered by Senators Mantz and Brookhart.

Lincoln's Gettysburg address was then read by Colonel L. W. Ainsworth, veteran of the Spanish-American and World Wars.

T. D. Doke speaking for the veterans made a short talk to the Senate.

The exercises were concluded with brief addresses by Senators Campbell, Horchem, Fulton and Abben.

The Journal of February 10th 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 adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate concurrent resolution relative to the increase of maximum loan provided for in the federal farm loan act, from \$10,000 to \$25,000.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 333, a bill for an act to legalize \$84,000.00 school building bonds dated July 1st, 1921, of the consolidated independent school district of Nodaway, Adams County, Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 263, a bill for an act to repeal chapter one hundred ten, acts of the Thirty-ninth General Assembly (S. C. C. 3044-a1, 3044-a2), relative to standard widths of sleighs and sleds.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 82, a bill for an act to amend, revise, and codify chapter twelve (12) of title twenty-three (23) of the compiled code of Iowa, and sections sixty-four hundred ninety-two (6492) and sixty-five hundred one (6501) of the supplement to said code, relating to trustees to manage cemetery funds.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 226, a bill for an act to amend, revise and codify section seven thousand eighty-five (7085) of the compiled code of Iowa, relating to parties to actions.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 223, a bill for an act to amend, revise and codify section sixty-nine hundred sixty-seven (6967) of the compiled code of Iowa, relating to judges.

A. C. GUSTAFSON, *Chief Clerk.*

On motion of Senator Price the Senate adjourned until 10 o'clock Tuesday morning.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 13, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. F. W. Simpson, pastor of the Methodist Church of Atlantic, Iowa.

On motion of Senator Darting rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Holdoegel for the day, on request of Senator Tuck.

President Pro Tem Price took the chair at 10:10 a. m.

By unanimous consent Senator Bergman withdrew Senate File No. 322 from further consideration.

Senator Smith moved that the President appoint a committee to escort ex-Senator A. L. Rule, of Cerro Gordo county, to the desk. Carried.

The President appointed Senator Smith as such committee.

Senator Rule addressed the Senate briefly.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator McIntosh from the Lake Mills school board relative to House File No. 367. Schools.

By Senator Smith from residents of Adair county opposing state and county aid for consolidated, standardized, or rural schools. Schools.

By Senator Shinn from teachers and taxpayers of Buda, Vail and Herring, protesting the proposed repeal of the minimum wage law for teachers. Schools.

By Senator Browne from the board of education, Preston, relative to House File No. 367. Schools.

By Senator Wichman from taxpayers of Klemme endorsing the teachers' annuity bill. Schools.

By Senator McIntosh from the League of Women Voters of Marshalltown urging acceptance of Sheppard-Towner act. Appropriations.

By Senator Bowman from the Marshalltown League of Women Voters urging acceptance of the Sheppard-Towner act. Appropriations.

By Senator Adams from American Legion Post No. 91, Estherville, asking support for Senate File No. 390 relative to masked organizations. Judiciary No. 1.

By Senator Shinn from taxpayers of Dunlap urging support of the Black bill relative to primary roads. Highways.

By Senator Darting from taxpayers of Mills county protesting the proposed gasoline tax. Ways and means.

By Senator Abben from Crocker Post No. 12, Des Moines, relative to House File No. 341. Ways and means.

By Senator Hale from citizens of Tipton relative to amendments to Senate File No. 317 and House File No. 340. Public health.

By Senator Baird from followers of the Christian Science faith of Council Bluffs relative to proposed measures affecting Christian Science. Public health.

By Senator Darting from citizens of Glenwood protesting the proposed consolidation of the department of fish and game with other state departments. Fish and game.

By Senator Rees from the Clarinda Community Club endorsing the work of the state agents working through the attorney general's office, and protesting the proposed legislation which would abandon this work. Judiciary.

By Senator Mantz from citizens of the 17th senatorial district relative to House Files Nos. 321 and 322 and Senate Files Nos. 313 and 327. Insurance.

By Senator Mantz from voters of the 17th district urging support for Senate File No. 299 relative to primary elections. Elections.

INTRODUCTION OF BILLS

Senate File No. 439, by Senator Campbell, a bill for an act to amend section three (3), chapter one hundred eighty-eight (188), acts of the Thirty-ninth General Assembly, (C. C. sec. 2913), relating to the issuance of certificates and overdrafts in relation to the anticipation of primary road funds.

Read first and second times and referred to committee on highways.

Senate File No. 440, by Senator Shinn, a bill for an act to amend section thirty-five (35) of chapter two hundred seventy-five (275) of the acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly (C. C. section 3078) and to repeal section twenty-four (24) of chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly (C. C. section 2932) and section three (3) of chapter one hundred eighty-eight (188) of the acts of the Thirty-ninth General Assembly (C. C. section 2913) and to enact a substitute therefor, relating to the apportionment and expenditure of moneys which are a part of the primary road fund.

Read first and second times and referred to committee on highways.

Senate File No. 441, by Senator Smith, a bill for an act to amend chapter three hundred one (301) of the acts of the Thirty-ninth (39th) General Assembly relating to public health.

Read first and second times and referred to committee on public health.

Senate File No. 442, by committee on judiciary No. 1, a bill for an act relating to a boundary commission, its powers and duties.

Read first and second times and ordered on the calendar.

Senate File No. 443, by Senator Horchem, a bill for an act to amend section one thousand three hundred three (1303) of the supplement to the code, 1913, relating to the duty of the board of super-

visors in counties of sixty-five thousand (65,000) or less, to make a levy, upon the assessed value of the taxable property in said counties.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 444, by Senator Horchem, a bill for an act to amend section two thousand eight hundred twenty-three-a (2823-a), supplement to the code, 1913 (C. C. 2663), relating to compulsory education.

Read first and second times and referred to committee on public schools.

Senate File No. 445, by Senator Abben, a bill for an act to establish a department of physical education under the supervision of the board of vocational education and making an appropriation therefor.

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

Senate File No. 446, by Senator Fulton, a bill for an act to compensate George A. Gardner for injuries received while assisting in showing a dairy herd of the Mount Pleasant State Hospital at the Jefferson County Fair, and for loss and damages resulting therefrom, including hospital and medical expenses.

Read first and second times and referred to committee on claims.

Senate File No. 447, by Senator Bergman, a bill for an act to amend section sixteen hundred ninety-six (1696) of the code 1897 (C. C. 5619), relating to the election of directors of insurance companies other than life insurance companies.

Read first and second times and referred to committee on insurance.

Senate File No. 448, by Senator Baird, a bill for an act to amend chapter seven (7), title V of the code by providing additional authority to cities and towns in the matter of assessing and paying for street improvements.

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

Senate File No. 449, by Senator Banta, a bill for an act amending section seventeen hundred and ten (1710), supplement to the code, 1913, as amended by section five (5), chapter four hundred twenty-eight (428), laws of the Thirty-seventh General Assembly

(37th G. A.) and section three (3), chapter three hundred forty-eight (348), laws of the Thirty-eighth General Assembly (38th G. A.), and section one (1), chapter two hundred sixty-one (261), laws of the Thirty-ninth General Assembly (39th G. A.) (C. C. 5628), relating to insurance, other than life.

Read first and second times and referred to committee on insurance.

A COMMUNICATION

February 9, 1923.

Presiding Officer,
State Senate,
Des Moines, Iowa.

Dear Sir: The Governor of Minnesota has invited the Governors of North Dakota, South Dakota, Montana, Illinois, Indiana, Kansas, Michigan, Iowa, Nebraska and Wisconsin to join in a conference to be held February 27th and February 28th in St. Paul, Minnesota, to consider questions relating to the improvement of market conditions.

This meeting was called at the request of a number of agricultural organizations and it will consider such problems as the stabilization of farm prices.

As presiding officer of the State Senate of Minnesota, I wish to invite the members of the State Senates of the states participating in this conference to attend the meeting in St. Paul.

Yours truly,

(Signed) L. L. COLLINS.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate Files Nos. 249 and 37.

CONCURRENT RESOLUTION

Senator Abben offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That this General Assembly adjourn Friday, February 23, 1923, to reconvene Tuesday, March 6, 1923, at ten o'clock a. m.

Laid over under the rules.

MESSAGES 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. 243, a bill for an act to amend, revise and codify sec-

tions eighty hundred eighty-seven (8087) and eighty hundred eighty-nine (8089) of the compiled code of Iowa, relating to forcible entry or detention of real property.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 282, a bill for an act to legalize the proceedings of the board of supervisors of Cerro Gordo County, Iowa, in calling an election authorizing the issuance of bonds in the sum of fifty thousand dollars (\$50,000.00) to pay for the construction of a new county home building, and to legalize said election and all proceedings connected therewith and to validate said bonds.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 73, a bill for an act to amend, revise and codify sections twenty-eight (28), fifty-three hundred seventy-five (5375), sixty-two hundred thirty-eight (6238), and seventy-three hundred nineteen (7319) of the compiled code of Iowa, relating to the attendance of witnesses, and the compulsory giving of testimony and production of evidence.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 235, a bill for an act to provide for a change of venue in probate proceedings and the manner of transferring the same.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 259, a bill for an act to amend, revise, and codify sections six hundred eighty-four (684) to six hundred eighty-eight (688), inclusive, of the compiled code of Iowa, and sections six hundred ninety-three-a one (693-a1) to six hundred ninety-three-a five (693-a5), inclusive, and section one hundred two (102) of the supplement to said code, relating to the appointment, powers, and duties of commissioners in other states, and to the fees to be collected by the secretary of state.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 335, a bill for an act to amend section one (1) chapter one hundred twenty-eight (128) of the acts of the Thirty-seventh General Assembly (C. C. section 5347), relative to dissolution of corporations, and the giving of notice of such dissolution.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 450, a bill for an act to repeal the law as it appears in section two thousand nine hundred-a eleven (2900-a11) of the supplement of the code, 1913, (C. C. 6472) and the enacting of a substitute therefor relating to the boundary commission, its powers and duties.

Also, 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 amend, revise, and codify sections seven thousand five hundred (7500) to seven thousand five hundred five (7505), inclusive, of the compiled code of Iowa, relating to instructions.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 224, a bill for an act to amend chapter four (4) of title twenty-eight (28) of the compiled code of Iowa, relating to judges and courts, and rules for conciliation of certain controversies.

Also, 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 two thousand eight hundred twelve-e (2812-e) of the supplemental supplement to the code, 1915, (C. C. 2661) as amended by chapter six (6) acts of the Thirty-ninth General Assembly relating to school funding, refunding, and building bonds.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 70, a bill for an act to amend, revise, and codify section eighteen hundred sixteen-a four (1816-a4) of the supplement to the compiled code of Iowa, relating to the lien for services of stallions and jacks.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 383, a bill for an act to amend section fifteen hundred sixty-five-b (1565-b) of the supplement to the code, 1913, (C. C. 3002), relating to noxious weeds.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 360, a bill for an act to amend sections four, (4), eleven (11), and twelve (12), of chapter one hundred twenty (120), of the acts of the Thirty-ninth General Assembly, relating to mutual insurance associations.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 104, a bill for an act to amend, revise and codify sections two thousand five hundred ninety-seven (2597) to two thousand five hundred ninety-nine (2599), inclusive, and two thousand six hundred one (2601) of the compiled code of Iowa, relating to education.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 232, a bill for an act to amend, revise, and codify sections seven thousand five hundred (7500) to seven thousand five hundred five (7505), inclusive, of the compiled code of Iowa, relating to instructions.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 450, a bill for an act to repeal the law as it appears in section two thousand nine hundred-a eleven (2900-a11) of the supplement to the code, 1913, (C. C. 6472) and the enacting of a substitute therefor relating to the boundary commission, its powers and duties.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 335, a bill for an act to amend section one (1) chapter one hundred twenty-eight (128) of the acts of the Thirty-seventh General Assembly (C. C. section 5347), relative to dissolution of corporations, and the giving of notice of such dissolution.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 70, a bill for an act to amend, revise and codify section eighteen hundred sixteen-a four (1816-a4) of the supplement to the compiled code of Iowa, relating to the lien for services of stallions and jacks.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 368, a bill for an act to amend section two thousand eight hundred twelve-e (2812-e) of the supplemental supplement to the code 1915 (C. C. 2661) as amended by chapter six (6) acts of the Thirty-ninth General Assembly relating to school funding, refunding, and building bonds.

Read first and second times and referred to committee on public schools.

House File No. 224, a bill for an act to amend chapter four (4) of title twenty-eight (28) of the compiled code of Iowa, relating to judges and courts, and rules for conciliation of certain controversies.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 104, a bill for an act to amend, revise and codify sections two thousand five hundred ninety-seven (2597) to two thousand five hundred ninety-nine (2599), inclusive, and two

thousand six hundred one (2601) of the compiled code of Iowa, relating to education.

Read first and second times and referred to committee on public schools.

House File No. 360, a bill for an act to amend sections four, (4), eleven (11), and twelve (12), of chapter one hundred twenty (120), of the acts of the Thirty-ninth General Assembly, relating to mutual insurance associations.

Read first and second times and referred to committee on insurance.

House File No. 383, a bill for an act to amend section fifteen hundred sixty-five-b (1565-b) of the supplement to the code 1913, (C. C. 3002) relating to noxious weeds.

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

House File No. 82, a bill for an act to amend, revise, and codify chapter twelve (12) of title twenty-three (23) of the compiled code of Iowa, and sections sixty-four hundred ninety-two (6492) and sixty-five hundred one (6501) of the supplement to said code, relating to trustees to manage cemetery funds.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 333, a bill for an act to legalize \$84,000.00 school building bonds dated July 1st, 1921, of the consolidated independent school district of Nodaway, Adams county, Iowa.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 226, a bill for an act to amend, revise and codify section seven thousand eighty-five (7085) of the compiled code of Iowa, relating to parties to actions.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 263, a bill for an act to repeal chapter one hundred ten, acts of the Thirty-ninth General Assembly (S. C. C. 3044-a1, 3044-a2), relative to standard widths of sleighs and sleds.

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

RESOLUTION

Senator Shinn offered the following resolution:

Be It Resolved by the Senate, That it is the sense of this Senate that no professor, teacher or instructor from any of the state educational institutions, nor any employee thereof; that no member of the state highway commission or any other board or commission or any employee or any public official thereof shall be permitted while in the employment of the state and receiving compensation therefrom, to appear on the floor of the Senate, unless requested by the Senate or some committee thereof so to do.

Laid over under the rules.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which Senate File No. 95 passed the Senate.

I. N. SNOOK.

Feb. 12, 1923.

REPORTS OF COMMITTEES

Senator Reed, 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. 38, a bill for an act to amend, revise and codify sections six hundred ninety-four (694), six hundred ninety-eight (698), seven hundred (700) and seven hundred three (703) of the compiled code of Iowa, relating to notaries public, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out Section 4-a and inserting in lieu thereof:

Section 4-a. Any notary public, who is at the same time an officer, director or stockholder of a corporation is also hereby invested with the power to administer oaths to or take acknowledgments of any officer, director or stockholder of such corporation, other than himself, in any matter wherein said corporation is interested, and to take and certify acknowledgments of instruments made to such corporation, and is hereby authorized to protest for non-acceptance or non-payment, bills of exchange, drafts, checks, notes and other negotiable or non-negotiable instruments which may be owned or held for collection by such corporation, as fully and effectually as if he were not an officer, director or stockholder of such corporation.

CARL W. REED, *Chairman*.

Ordered passed on file.

Senator Wichman, from the committee on elections, submitted the following report:

MR. PRESIDENT: Your committee on elections to whom was referred Senate File No. 359, a bill for an act to amend sections eleven hundred thirty-seven-c (1137-c), supplemental supplement to the code, 1915, (C. C. 522), and eleven hundred thirty-seven-e (1137-e), supplemental supplement to the code, 1915, (C. C. 524), relating to the absent voters' law, beg leave to report it has had the same under consideration and recommends the same do pass.

J. E. WICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections to whom was referred Senate File No. 350, a bill for an act to repeal chapter two hundred seventy-nine (279), acts of the Thirty-ninth General Assembly, (section 529, supplement to the C. C.), relating to the counting of absent voters' ballots in precincts using voting machines and to enact a substitute therefor, beg leave to report it has had the same under consideration and recommends the same do pass.

J. E. WICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections to whom was referred Senate File No. 264, a bill for an act to amend section four hundred ninety-nine-a1 (499-a1) of chapter seven-a (7-a) acts of the Thirty-ninth General Assembly relating to all election precincts having a double election board, beg leave to report it has had the same under consideration and recommends 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 the following: Section 1. That chapter sixty (60) section one (Sec. 1) acts of the Thirty-ninth General Assembly (section four hundred ninety-nine-a1 (499-a1) of chapter seven-a (7-a) of the supplement to the compiled code of Iowa, 1921) be amended by striking out the words "where three hundred or more votes were cast in the last preceding general election" after the word "Iowa" in the first line thereof.

It is further recommended that the title be amended to read as follows: An act to amend chapter sixty (60) section one (Sec. 1) acts of the Thirty-ninth General Assembly (section four hundred ninety-nine-a1 (499-a1) of chapter seven-a (7-a) of the supplement to the com-

piled code of Iowa, 1921) relating to all election precincts having a double election board.

J. E. WICHMAN, *Chairman*.

Ordered passed on file.

Senator Scott, from the committee on insurance, submitted the following report:

MR. PRESIDENT: Your committee on insurance to whom was referred Senate File No. 341, a bill for an act to amend section sixteen hundred ninety-nine (1699) supplement to code 1913, (C. C. 5622) and to authorize any company organized under chapter four (4) of title nine (9) of the code of 1897 and amendments thereto, to invest its capital and funds in federal farm loan bonds, beg leave to report they have had the same under consideration and recommend the same do pass.

R. P. SCOTT, *Chairman*.

Ordered passed on file.

Senator Brookhart, 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. 392, a bill for an act to repeal section fifty-four hundred eighty-four (5484) of the code (C. C. sec. 9464), and to enact a substitute therefor relating to witnesses in the trial of criminal cases, beg leave to report it has had the same under consideration and returns the bill without recommendation.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred House File No. 244, a bill for an act to amend, revise and codify section eight thousand three hundred sixty-six (8366) of the compiled code of Iowa, relating to the paternity of illegitimate children, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred House File No. 233, a bill for an act to amend, revise and codify section seven thousand six hundred fourteen (7614) of the compiled code of Iowa, relating to costs, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 405, a bill for an act to legalize certain warrants issued by the board of supervisors of Wapello County, Iowa, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 310, a bill for an act to provide for a threshers lien, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. L. BROOKHART, *Chairman*.

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. 394, a bill for an act to provide for an appropriation of \$50,000.00 annually during the next biennial, improving school conditions in coal mining camps, beg leave to report it has had the same under consideration and recommends the same do pass, after being referred to the appropriations committee.

BYRON W. NEWBERRY, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Senator Banta, from the committee on printing, submitted the following report:

MR. PRESIDENT: Your committee on printing to whom was referred Senate File No. 5, by committee on code revision, a bill for an act to amend, revise, and codify sections fifty-six (56), fifty-seven (57), fifty-nine (59), and sixty-one (61) of the compiled code of Iowa, relating to the publication of the acts of the general assembly, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. In line three (3) of section four (4) strike out the words "original rolls" and insert in lieu thereof the words "enrolled bills".

2. That there be added to said bill as section 6 thereof the following:

That section sixty (60) of the compiled code of Iowa is amended, revised and codified to read as follows:

"Section 6. Six thousand (6,000) copies of said volume shall be printed and sold at such price as the executive council shall fix.

(C. C. 60, modified.)"

3. That the title to said bill be amended by inserting after the comma

(,) and before the word "and" in the second (2nd) line of said title the following: "Sixty (60)".

GEORGE S. BANTA, *Chairman*.

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Goodwin, House File No. 311, a bill for an act to amend section three hundred thirty-three (333) of the supplement to the code, 1913, (C. C. section 6990) relating to exemption from jury service, 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 conjunction "and" following the word "optometrists" in line 6 of section one (1), and inserting the words "chiropractors and osteopaths" in line 7 of section one (1), following the word "nurses".

On motion of Senator Goodwin further action was deferred until tomorrow morning.

On motion of Senator McIntosh, Senate File No. 265, a bill for an act to provide for the seizure and disposition of any vehicle containing intoxicating liquors which are being transported in violation of law, 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 the word "team" after the word "buggy" in line 3, and by inserting in line 4 right after the word "vehicle" the following "or other conveyance" and by striking out beginning in line 8 "vehicle and team, automobile, boat, air or water craft," and inserting in lieu thereof "wagon, buggy, team, automobile, water and air craft, vehicle,"

By unanimous consent on request of Senator McIntosh the word "general" was stricken from line 46 and the word "school" inserted in lieu thereof; and the word "by" was inserted in line 3 preceding the word "team".

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

On motion of Senator Smith the vote by which the bill passed to its third reading was reconsidered.

On motion of Senator McIntosh the rules were suspended and the reading just had was considered the third reading and the bill was placed upon its passage.

Senator McIntosh invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 29

Abben	Campbell	Mantz	Snook
Banta	Darting	Nelson	Stoddard
Bergman	Dutcher	Perkins	Tuck
Bowman	Fulton	Price	White
Brookhart	Gilchrist	Scott	Wichman
Brookins	Hartman	Shane	
Browne	Johnston	Shinn	
Caldwell	McIntosh	Slosson	

Nays, 14

Baird	Haskell	Newberry	Shaff
Buser	Horchem	Olson	Smith
Goodwin	Kimberly	Reed	
Hale	Mead	Rees	

Absent or not voting, 7.

Adams	Chase	Holdoegel	Thurston
Cessna	Ethell	Romkey	

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

Senator McIntosh moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 306 was substituted for Senate File No. 315.

President Hammill resumed the chair.

On motion of Senator Stoddard, House File No. 306, a bill for an act to amend section two hundred twenty-seven (227) of the supplemental supplement to the code, 1915, (C. C. sec. 6937), relating to the number of district judges in each district, and providing that the number of judges in the fourth judicial district shall be four, and providing a method for filling the additional office created by this act, and for the election of a judge to fill the office hereby created, when the term of an appointee to fill such office shall expire as provided by law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 36

Abben	Dutcher	Kimberly	Scott
Baird	Ethell	Mantz	Shaff
Banta	Fulton	Mead	Shane
Bergman	Gilchrist	Newberry	Shinn
Bowman	Goodwin	Olson	Slosson
Brookhart	Hale	Perkins	Smith
Caldwell	Hartman	Price	Stoddard
Campbell	Haskell	Reed	White
Darting	Horchem	Rees	Wichman

Nays, 4

Brookins	McIntosh	Nelson	Snook
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Absent or not voting, 10

Adams	Cessna	Johnston	Tuck
Browne	Chase	Romkey	
Buser	Holdoegel	Thurston	

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

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent Senator Stoddard withdrew Senate File No. 315 from further consideration.

By unanimous consent on request of Senator Wichman House File No. 294 was substituted for Senate File No. 283.

On motion of Senator Wichman, House File No. 294, a bill for an act to amend section two hundred twenty-seven (227) supplemental supplement to the code, 1915, (C. C. 6937), and to provide an additional judge for the twelfth judicial district, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 35

Abben	Bowman	Darting	Gilchrist
Baird	Brookhart	Dutcher	Goodwin
Banta	Caldwell	Ethell	Hale
Bergman	Campbell	Fulton	Hartman

Haskell	Newberry	Scott	Thurston
Horchem	Olson	Shaff	Tuck
Kimberly	Perkins	Shane	White
Mants	Price	Slosson	Wichman
Mead	Reed	Stoddard	

Nays, 3

Brookins	Johnston	Snook
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Absent or not voting, 12.

Adams	Cessna	McIntosh	Romkey
Browne	Chase	Nelson	Shinn
Buser	Holdoegel	Rees	Smith

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

Senator Wichman moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent Senator Wichman withdrew Senate File No. 283 from further consideration.

PROPOSED BILL FOR THE LEGALIZATION OF CERTAIN WARRANTS ISSUED BY THE BOARD OF SUPERVISORS OF WAPELLO COUNTY, IOWA.

An act to legalize certain warrants issued by the Board of Supervisors of Wapello County, Iowa.

Whereas, The County of Wapello, Iowa, by its Board of Supervisors did heretofore authorize and incur indebtedness in the sum of One Hundred Thirty-five Thousand Dollars (\$135,000) for corporate purposes, as follows: \$70,000 for County General Fund and \$65,000 for County Poor Fund, as permitted by law, and prior to January 1, 1923, did issue warrants of said county in like amount to evidence such indebtedness, in the manner and form required by law, and

Whereas, Such expenditures were made for proper corporate purposes, and were necessary in order to support, maintain the institutions of said county, protect and repair its roads and pay ordinary expenses of said county, and such expenditures were greater in amount than usual because of the unsettled business conditions throughout the country, and the County of Wapello is enjoying the use and benefit thereof and the several purposes for which said expenditures were made is well worth the sum which said county contracted should be paid therefor, and the indebtedness of said county at the time said warrants were issued did not and does not at this time, exceed the constitutional limitation; and

Whereas, It is not clear under the law whether indebtedness so incurred for such unusual, extraordinary and necessary expenditure is to be considered in ascertaining said County's statutory limit of debt for general ordinary purposes; now therefore,

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That the acts of the Board of Supervisors of the County of Wapello in making such expenditures for said county and issuing warrants therefor in the sum of One Hundred and Thirty-five Thousand Dollars (\$135,000) as aforesaid be and the same are hereby validated.

Section 2. That the aforesaid warrants of the County of Wapello, Iowa, in the aggregate sum of One Hundred and Thirty-five Thousand Dollars (\$135,000) be and the same are hereby legalized and declared to be valid, legal and subsisting obligations of said county, and the Board of Supervisors of said county may issue and sell bonds to fund said warrants, as provided by the laws of the State of Iowa.

Section 3. Nothing of this act shall affect pending litigation.

Section 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 in Des Moines, Iowa, and The Ottumwa Courier, a newspaper published in the City of Ottumwa, Iowa, without expense to the state.

PROOF OF PUBLICATION

State of Iowa, Wapello County, ss:

I, F. E. Pickett, being duly sworn, on my oath, say that I am the foreman of the Ottumwa Daily Courier, a newspaper printed in said Wapello

County, Iowa, and of general circulation therein, and that the advertisement Proposed Bill hereto attached was published in said newspaper one time, Feb. 10, 1923.

F. E. PICKETT.

Subscribed and sworn to before me, and in my presence, by the said F. E. Pickett this 12th day of February, 1923.

Ira F. Downing,
Notary Public.

OFFICIAL PUBLICATION

As required by Chapter 228 of the Acts of the Thirty-ninth General Assembly of the State of Iowa, of the proposed bill for the legislation of the proceedings of the Board of Supervisors of Lucas County, Iowa, in authorizing the issuance and sale of refunding bonds in the sum of seven thousand five hundred (\$7,500) dollars, for the purpose of refunding jail bonds of said county in said amount and to legalize all proceedings connected therewith and to validate said bonds. Said bill so introduced being Senate File No. 286 and House File 277.

A BILL FOR

An Act to legalize an election in Lucas County, Iowa, and to legalize certain Jail bonds and Refunding Bonds issued pursuant thereto.

Whereas, Pursuant to an election held in Lucas County, Iowa, on April 10th, 1916, there were issued by virtue of resolutions by the Board of Supervisors of said County, Fifteen Thousand Dollars (\$15,000) County Jail Bonds of said County dated September 1st, 1916, of which bonds Seven Thousand Five Hundred Dollars (\$7,500) matured on September 1st, 1922; and

Whereas, The Board of Supervisors of said County by a resolution adopted on October 2d, 1922, provided for the issuance and sale of Refunding Bonds of said County in the sum of Seven Thousand Five Hundred Dollars (\$7,500) for the purpose of refunding said County Jail Bonds in the amount of Seven Thousand Five Hundred Dollars (\$7,500); and

Whereas, Doubts have arisen as to the legality of the election, authorization and issuance of said County Jail Bonds and the proceedings of the Board of Supervisors relating to the issuance and sale of said Refunding Bonds; now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That the election held in Lucas County, Iowa, herein referred to, and the County Jail Bonds issued by the Board of Supervisors of said county pursuant thereto be and the same are hereby declared to be legal and valid, notwithstanding any irregularities or omissions or defects in connection therewith.

Sec. 2. That the Refunding Bonds of said County in the aggregate amount of Seven Thousand Five Hundred Dollars (\$7,500) authorized by the Board of Supervisors under date of October 2d, 1922, when issued, sold and delivered to the purchasers are hereby declared to be legal and to constitute valid and binding obligations of said County.

Sec. 3. Nothing in this Act shall affect pending legislation.

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 News," a newspaper published in Des Moines, Iowa, and the "Herald-Patriot," a newspaper published in Chariton, Iowa, without expense to the state.

PROOF OF PUBLICATION

State of Iowa, Lucas County, ss:

I, Victor E. Swartzendruber, do solemnly swear that I am the Editor of The Chariton Herald-Patriot, a newspaper printed and published at Chariton, in the County of Lucas, State of Iowa, and have personal knowledge of the fact that the Official Publication of which the one hereto attached is a true copy, was published in said paper for one issue, January 25, (Signed) VICTOR E. SWARTZENDRUBER.

The foregoing statement was subscribed and sworn to by Victor E. Swartzendruber before me this 2nd day of February, 1923.

(Official Seal)

Publication fee, \$8.20.

Chas. L. Holland,
Notary Public.

By unanimous consent Senator Price withdrew Senate File No. 434 from further consideration.

The Journal of February 12th was corrected and approved.

On motion of Senator Price the Senate adjourned until 4 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

REPORTS OF COMMITTEES

Senator Slosson, from the committee on motor vehicles, submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to whom was referred Senate File No. 303, a bill for an act to amend section thirty (30) (C. C. 3073) of chapter two hundred seventy-five (275) acts of the Thirty-eighth General Assembly as amended by chapter one hundred fifty-four (154) acts of the Thirty-ninth General Assembly relating to the operation of motor vehicles upon the public highways, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the word and figure "5 (5)" at the end of line eleven (11) and inserting in lieu thereof the word and figure "one (1)".

Also amend by striking out all of section one (1) after the period at the end of line eleven (11).

J. M. SLOSSON, *Chairman.*

Ordered passed on file.

Senator Brookhart, 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. 313, a bill for an act to amend section twenty-four hundred seventy-seven-m9 of the supplement to the code, 1913, (C. C. 816), as amended by chapter two hundred seventy (270) acts of the Thirty-seventh General Assembly and chapter two hundred twenty (220) acts of the Thirty-eighth General Assembly, relating to employer's liability and workmen's compensation, beg leave to report it has had the same under consideration and recommends the same be referred to the committee on insurance.

J. L. BROOKHART, *Chairman.*

The report was adopted and the bill referred to committee on insurance.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 327, a bill for an act to amend the law as the same appears in chapter eight-a title XII (8-a title XII) supplement to the code, 1913, (C. C. Chap. 3 title V), relating to employers' liability and workmen's compensation for personal injuries sustained by an employe, beg leave to report it has had the same under consideration and recommends the same be referred to the committee on insurance.

J. L. BROOKHART, *Chairman.*

The report was adopted and the bill referred to committee on insurance.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 363, a bill for an act to repeal section 4775 of the code, 1897; section 4775-1a, section 4775-11a, section 4775-3a, as amended by chapter 171 of the acts of the Thirty-seventh General Assembly, section 4775-4a, section 4775-6a, sections 4775-7a, 4775-8a, 4775-2a, 4775-9a, 4775-5a, 4775-10a, 4775-12a of the supplement to the code, 1913; section 5004 of the code, 1897; section 5028-p and section 5028-q of the supplement to the code, 1913, and chapter 87, section 1 of the acts of the Thirty-seventh General Assembly; C. C. secs. 8575, 8576, 8577, 8578, 8579, 8580, 8581, 8582, 8583, 8584, 8585, 8586, 8587, 8588, 8589, 8590, 8591, 8592, 8593, 8594, 8595, 8596, 8597, 8598, 8599) relating to concealed weapons, firearms and toy pistols; providing for the issuance of permits upon certain conditions; providing for a registration of dealers, dealers' permits, and reports; providing for the registration of all pistols, revolvers and similar firearms, and providing penalties for a violation of the terms thereof, beg leave to report that it has had same under consideration and returns the bill without recommendation.

J. L. BROOKHART, *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. 399, a bill for an act making it optional with consolidated independent school districts to furnish transportation to pupils and to provide housing for vehicles, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

BYRON W. NEWBERRY, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on public schools to whom was referred Senate File No. 272, a bill for an act to repeal sections 2757, supplemental supplement to the code, 1915, (C. C. 2548) and 2758 of the supplement to the code 1913, (C. C. 2545), relating to organization of school boards, meetings of directors, election of officers, reports of secretaries and treasurers to the board, qualifications of school officers, etc., and enact a substitute therefor, beg leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking out the word "the" and substituting the words "of a" in lieu thereof at the end of line 6, section 2; and by striking out the word "as" in line 10, section 4, after the word "office" and substituting the word "of" in lieu thereof; and by striking out of line 2, section 1,

the figures "2748" enclosed in brackets and by substituting in lieu thereof the figures "2548".

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Senator Mead, 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. 414, a bill for an act to amend section two thousand five hundred fifty-one (2551) supplemental supplement to the code, 1915, (C. C. 1124), relating to the use of artificial ambushes, beg leave to report it has had the same under consideration and recommends the same do pass.

O. L. MEAD, *Chairman*.

Ordered passed on file.

INTRODUCTION OF BILLS

Senate File No. 450, by Senator Buser, a bill for an act to amend section seven hundred two (702) of the code of 1897 (C. C. 3605) relating to the powers of cities and towns.

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

Senate File No. 451, by Senators Mantz and Brookhart, a bill for an act to provide for the payment of an occupation or privilege tax upon the business of operating coal mines, fixing penalties for the failure to make reports and non-payment of such tax and providing for the expenditure of the money collected.

Read first and second times and referred to committee on ways and means.

Senate File No. 452, by Senator Olson, a bill for an act making an appropriation to defray the expenses incurred by the Fort Dodge, Des Moines & Southern Railroad Company made necessary in clearing its tracks on account of the slide which occurred at the south end of the capitol grounds extension in the spring of 1920.

Read first and second times and referred to committee on claims.

Senate File No. 453, by Senator Mead, a bill for an act to make an appropriation for the completion of the hospital and the plant of the college of medicine of the State University of Iowa and for the equipping of the same, under the direction of the Iowa State Board of Education.

Read first and second times and referred to committee on educational institutions.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, 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 Files Nos. 36, 162, 204, 278, 328 and Senate File 223.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

On motion of Senator Bowman the Senate adjourned until 11 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 14, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. P. H. Hawk, pastor of the Methodist Episcopal church of Victor, Iowa.

On motion of Senator Stoddard rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Rees for the day, on request of Senator Ethell; Senator Kimberly for the day, on request of Senator Price; Senator Shaff for the day, on request of Senator Bergman.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Campbell from citizens of Ida Grove protesting the proposed measure doing away with the work of the state agents. Judiciary No. 1.

By Senator McIntosh from Miners Union Local 270, Rexfield, asking support for Senate Files 299 and 364. Mines and mining.

By Senator Stoddard from street railway employees of Sioux City asking support for a proposed measure relative to working hours for street railway employees. Cities and towns.

By Senator Abben from Iceminger Post No. 18, G. A. R., Chariton, protesting against House File 341 by Ontjes. Military affairs.

By Senator Abben from the Women's Relief Corps, Chariton, protesting against House File 341 by Ontjes. Military affairs.

By Senator McIntosh from the Brotherhood of Electrical Workers, Davenport, endorsing Senate File 299. Elections.

By Senator McIntosh from the Railway Conductors' Union, Sioux City, endorsing Senate Files 289 and 299. Elections.

By Senator Slosson from citizens of Mitchell county relative to Senate File No. 317 and House File 340.

By Senator Horchem from school boards, teachers, and other organizations of Cedar Rapids and Dubuque, endorsing the teachers' annuity bill. Schools.

By Senator Brookins from the Farmers' Mutual Telephone company of Rudd, and the Charles City and Farmers' Mutual Telephone company of Charles City protesting Senate File 266. Telegraph and telephones.

By Senator McIntosh from the Farmer-Labor club of Oelwein relative to House File 310 and Senate File 299. Elections.

By Senator Adams from the Clay county board of education relative to the Berry bill, House Files 367 and 371, Senate File 384, and the teachers' annuity bill. Schools.

By Senator Holdoegel from the League of Women Voters of Marshalltown urging acceptance of the Sheppard-Towner act. Appropriations.

By Senator Holdoegel from the board of education of Lake Mills protesting House File 367 relative to high school tuition. Schools.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate File 223, and House Files 36, 162, 204, 278 and 328.

INTRODUCTION OF BILLS

Senate File No. 454, by Senator Cessna, a bill for an act to repeal section three (3), chapter two hundred eighty-four (284), acts of the Thirty-seventh (37th) General Assembly, as amended by chapter three hundred thirty-seven (337), acts of the Thirty-ninth (39th) General Assembly, and to enact a substitute in lieu thereof, relating to appropriation of funds to enable the board of railroad commissioners to continue the investigation of the valuation of the property of common carriers made by the interstate commerce commission.

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

Senate File No. 455, by Senator Brookhart, a bill for an act to amend section one thousand six hundred fourteen (1614) of the code (C. C. sec. 5334), relating to the time a corporation may begin business, and to the publication of the notice.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 456, by Senator Romkey, a bill for an act authorizing boards of directors to charge tuition in those public school districts which maintain a school of a higher order than an approved high school.

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

Senate File No. 457, by Senator Romkey, a bill for an act to amend section nineteen hundred seventy-five (1975) of the code of Iowa, eighteen hundred ninety-seven (1897), compiled code section forty-eight hundred seventeen (4817) relating to levees, drains and water courses.

Read first and second times and referred to committee on drainage.

Senate File No. 458, by Senator Olson, a bill for an act to make 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 times and referred to committee on educational institutions.

Senate File No. 459, by Senator Brookins, a bill for an act to amend sections two thousand five hundred seventy-five-a forty-seven (2575-a47) (C. C. 2425), two thousand five hundred seventy-five-a forty-eight (2575-a48) as amended by chapter eight (8), acts of the Thirty-eighth General Assembly, of the supplement to the code, 1913, (C. C. 2426), and two thousand five hundred seventy-five-a fifty-two (2575-a52) (C. C. 2430) of the supplemental supplement to the code, 1915, relating to the duties of the state entomologist and the quarantine of plant diseases and the eradication of harmful plants.

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

On motion of Senator Brookhart the House was requested to return House Joint Resolution No. 5.

REPORTS OF COMMITTEE

Senator Mead, 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. 407, a bill for an act to amend section 2562-b, of the supplemental supplement to the code, 1915, relating to the ownership and title of wild game, birds, and fish, and providing for the ownership of mussels, clams and frogs, beg leave to report it has had the same under consideration and recommends the same do pass.

O. L. MEAD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on fish and game to whom was referred Senate File No. 326, a bill for an act to amend section 2563-a3, supplement to the code, 1913, (C. C. 1142), 2563-a7 supplement to the code, 1913, (C. C. 1146) 2563-a9, S. 1913, (C. C. 1148) and repeal section 2563-a4, supplemental supplement 1915, (C. C. 1143), and to enact a substitute in lieu thereof relating to the protection of game, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

O. L. MEAD, *Chairman*.

Senator Mantz asked that the report be rejected and bill be placed upon the calendar, and asked for a roll call.

On the question, "Shall the report of the committee be adopted and the bill indefinitely postponed?" the vote was:

Ayes, 17

Banta	Gilchrist	Newberry	White
Bergman	Goodwin	Price	Wichman
Bowman	Hale	Shane	
Brookins	Hartman	Shinn	
Browne	Mead	Tuck	

Nays, 24

Abben	Darting	Mantz	Scott
Baird	Fulton	Nelson	Slosson
Brookhart	Holdoegel	Perkins	Smith
Buser	Horchem	Reed	Snook
Caldwell	Johnston	Rees	Stoddard
Campbell	McIntosh	Romkey	Thurston

Absent or not voting, 9

Adams	Chase	Ethell	Kimberly
Cessna	Dutcher	Haskell	Olson
			Shaff

The report was not adopted and the bill was ordered placed on the calendar.

YOUNG MEMORIAL RESOLUTION

MR. PRESIDENT: Whereas the Honorable John Alex Young, a member of the Twenty-ninth, Thirtieth and Thirty-first General Assemblies, died since the last session of the legislature; therefore,

Be It Resolved, That the President of this Senate appoint a committee of three to prepare a memorial fittingly to commemorate his life and service to the State of Iowa, and to the Nation.

J. L. BROOKHART.

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

The President appointed as such committee Senators Brookhart, Newberry and Nelson.

THIRD READING OF BILLS

On motion of Senator Thurston Senate File No. 338, a bill for an act to amend the law as it appears in section four hundred twenty-eight (428) of the code of eighteen hundred ninety-seven (1897) (C. C. Sec. 2827) relating to the powers of the board of supervisors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent Senator Price withdrew his amendment to Senate File No. 338, found on page 425 of the Senate Journal.

Senator Thurston offered the following amendment and moved its adoption:

Amend Senate File 338 by striking out all of said bill after the colon (:) following the word, "therefor," in line seven (7) of section one (1), and by substituting therefor the following: "if for any reason, the board is unable to acquire such highway by agreement with the owner or owners, such owner or owners who are residents of the county shall be personally served in the manner original notices are required to be served, and such owner or owners who do not reside in said county shall be served by publishing a notice in some newspaper in the county, once each week for two weeks, but personal service outside of the county but within the state in the manner original notices are required to be served, shall be deemed personal service and shall take the place of published service, and in addition, notice shall be served in the manner original notices are required to be served upon the actual occupant of the land, if said land be occupied, notifying interested parties that three disinterested freeholders will be selected as appraisers, one by the board of supervisors, one by the owner or owners of the property affected, where there are two or more tracts affected, and one by the two so appointed, said notice to fix a definite date upon which the interested party or parties

shall appear and name one appraiser, and in the event said owner or owners fail to appear, in person or by agent, or fail to agree upon the selection of an appraiser, the board of supervisors may appoint two of such appraisers who shall select a third appraiser".

The amendment was adopted.

The bill was read for information.

Senator Thurston moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Baird	Darting	Johnston	Shinn
Bergman	Dutcher	McIntosh	Slosson
Bowman	Ethell	Mantz	Smith
Brookhart	Gilchrist	Mead	Snook
Brookins	Goodwin	Nelson	Thurston
Browne	Hale	Olson	Tuck
Buser	Hartman	Price	White
Caldwell	Haskell	Romkey	Wichman
Campbell	Holdoegel	Scott	
Cessna	Horchem	Shane	

Nays, 4.

Abben	Banta	Perkins	Stoddard
Absent or not voting, 8.			
Adams	Fulton	Newberry	Rees
Chase	Kimberly	Reed	Shaff

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

On motion of Senator Goodwin House File No. 311, a bill for an act to amend section three hundred 'thirty-three (333) of the supplement to the code, 1913, (C. C. section 6990) relating to exemption from jury service, was taken up and considered, the report of the committee having previously been adopted.

The following committee amendment was taken up and considered:

Amend by striking out the conjunction "and" following the word "optometrists" in line 6 of section one (1), and inserting the words "chiropractors and osteopaths" in line 7 of section one (1), following the word "nurses".

By unanimous consent on request of Senator Goodwin the following was added to the amendment:

"and changing the period after the word "nurses" to a comma.

On the question "Shall the amendment be adopted" the vote was:

Ayes, 32

Abben	Cessna	Johnston	Shinn
Baird	Dutcher	Mantz	Slosson
Bergman	Goodwin	Nelson	Smith
Brookhart	Hale	Newberry	Snook
Brookins	Hartman	Olson	Stoddard
Browne	Haskell	Price	Thurston
Caldwell	Holdoegel	Romkey	Tuck
Campbell	Horchem	Shane	Wichman

Nays, 4

Banta	Bowman	Gilchrist	McIntosh
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Absent or not voting, 14

Adams	Ethell	Perkins	Shaff
Buser	Fulton	Reed	White
Chase	Kimberly	Rees	
Darting	Mead	Scott	

The amendment was adopted.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 13

Baird	Darting	Mantz	White
Bergman	Goodwin	Shinn	
Caldwell	Holdoegel	Snook	
Campbell	Horchem	Thurston	

Nays, 30

Abben	Dutcher	McIntosh	Scott
Banta	Ethell	Nelson	Shane
Bowman	Fulton	Newberry	Slosson
Brookhart	Gilchrist	Perkins	Smith
Browne	Hale	Price	Stoddard
Buser	Hartman	Reed	Tuck
Cessna	Haskell	Rees	Wichman
	Johnston	Romkey	

Absent or not voting, 7

Adams	Chase	Mead	Shaff
Brookins	Kimberly	Olson	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Gilchrist moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion be laid upon the table.

Senator Price asked for a division of the motion.

The motion to reconsider prevailed.

Senator McIntosh invoked rule 8.

On the question "Shall the motion to reconsider be laid upon the table?" the vote was:

Ayes, 10

Banta	Fulton	McIntosh	Tuck
Bowman	Gilchrist	Perkins	
Ethell	Haskell	Scott	

Nays, 29

Abben	Darting	Newberry	Snook
Baird	Dutcher	Price	Stoddard
Bergman	Goodwin	Reed	Thurston
Brookhart	Holdoegel	Rees	White
Brookins	Horchem	Romkey	Wichman
Buser	Johnston	Shane	
Caldwell	Mantz	Shinn	
Campbell	Nelson	Smith	

Absent or not voting, 11

Adams	Chase	Kimberly	Shaff
Browne	Hale	Mead	Slosson
Cessna	Hartman	Olson	

The motion was lost.

On motion of Senator Price the vote by which the bill passed to its third reading was reconsidered.

Senator Price offered the following amendment and moved its adoption:

Amend by striking the words "registered optometrists" from line six.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 31

Abben	Dutcher	Nelson	Smith
Baird	Ethell	Newberry	Snook
Bergman	Gilchrist	Rees	Stoddard
Brookins	Goodwin	Romkey	Thurston
Buser	Hartman	Scott	Tuck
Caldwell	Holdoegel	Shane	White
Campbell	Johnston	Shinn	Wichman
Darting	Mantz	Slosson	

Nays, 7

Cessna	Hale	Horchem	Perkins
Fulton	Haskell	McIntosh	

Absent or not voting, 12

Adams	Brookhart	Kimberly	Price
Banta	Browne	Mead	Reed
Bowman	Chase	Olson	Shaff

The amendment was adopted.

Senator Goodwin moved the previous question. Motion lost.

Senator Banta moved that the Senate adjourn until 1:30 p. m.

Senator Campbell moved to amend the motion by making the hour 4:00 p. m. instead of 1:30.

Senator Campbell withdrew his amendment and moved to amend by making the hour 9:00 a. m. Thursday. The amendment was lost.

Senator Banta's motion prevailed and the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

On request of Senator Campbell the members of the committee on telegraphs and telephones was excused from the session to sit in committee meeting.

The Senate proceeded with the consideration of House File No. 311.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking therefrom the word "morticians".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 29

Abben	Gilchrist	Price	Stoddard
Baird	Goodwin	Reed	Thurston
Banta	Horchem	Scott	Tuck
Bergman	McIntosh	Shaff	White
Buser	Mantz	Shinn	Wichman
Caldwell	Newberry	Slosson	
Cessna	Olson	Smith	
Dutcher	Perkins	Snook	

Nays, 1

Shane

Absent or not voting, 20

Adams	Campbell	Hale	Kimberly
Bowman	Chase	Hartman	Mead
Brookhart	Darting	Haskell	Nelson
Brookins	Ethell	Holdoegel	Rees
Browne	Fulton	Johnston	Romkey

The amendment was adopted.

Senator Goodwin moved that the bill be read a third time now, which motion prevailed.

Senator Goodwin invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 23

Abben	Caldwell	Newberry	Snook
Baird	Dutcher	Perkins	Stoddard
Banta	Gilchrist	Price	Thurston
Bergman	McIntosh	Shane	White
Brookins	Mantz	Shinn	Wichman
Buser	Nelson	Smith	

Nays, 9

Cessna	Fulton	Haskell	Scott
Ethell	Goodwin	Olson	Slosson
			Tuck

Absent or not voting, 18

Adams	Chase	Horchem	Rees
Bowman	Darting	Johnston	Romkey
Brookhart	Hale	Kimberly	Shaft
Browne	Hartman	Mead	
Campbell	Holdoegel	Reed	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator McIntosh Senate File No. 431, a bill for an act to repeal sections two thousand four hundred three (2403) (C. C. 963) and two thousand four hundred three-a (2403-a) (C. C. 964) of the supplement to the code of Iowa, 1913 relating to the sale of intoxicating liquor, a committee bill, was taken up and considered.

The bill was read for information.

On motion of Senator Wichman further action on Senate File No. 431 was deferred.

On motion of Senator Shane Senate File No. 405, a bill for an act to legalize certain warrants issued by the board of supervisors of Wapello county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Shane moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28

Abben	Dutcher	Nelson	Slosson
Banta	Ethell	Newberry	Smith
Bergman	Fulton	Olson	Snook
Brookins	Goodwin	Perkins	Stoddard
Browne	Johnston	Price	Thurston
Buser	McIntosh	Scott	Tuck
Caldwell	Mantz	Shane	White

Nays, none

Absent or not voting, 22

Adams	Chase	Holdoegel	Romkey
Baird	Darting	Horchem	Shaff
Bowman	Gilchrist	Kimberly	Shinn
Brookhart	Hale	Mead	Wichman
Campbell	Hartman	Reed	
Cessna	Haskell	Rees	

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

On motion of Senator Brookhart House File No. 233, a bill for an act to amend, revise and codify section seven thousand six hundred fourteen (7614) of the compiled code of Iowa, relating to costs, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Brookhart moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 26

Abben	Buser	McIntosh	Slosson
Baird	Caldwell	Mantz	Smith
Banta	Ethell	Nelson	Snook
Bergman	Fulton	Newberry	Stoddard
Brookhart	Goodwin	Olson	Tuck
Brookins	Horchem	Scott	
Browne	Johnston	Shane	

Nays, none

Absent or not voting, 24

Adams	Dutcher	Kimberly	Romkey
Bowman	Gilchrist	Mead	Shaff
Campbell	Hale	Perkins	Shinn
Cessna	Hartman	Price	Thurston
Chase	Haskell	Reed	White
Darting	Holdoegel	Rees	Wichman

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

On motion of Senator Brookhart, House File No. 244, a bill for an act to amend, revise and codify section eight thousand three hundred sixty-six (8366) of the compiled code of Iowa, relating to the paternity of illegitimate children, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Brookhart moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes 26

Abben	Dutcher	Mantz	Smith
Baird	Ethell	Nelson	Snook
Banta	Fulton	Newberry	Stoddard
Bergman	Goodwin	Olson	Tuck
Brookhart	Horchem	Scott	White
Brookins	Johnston	Shane	
Browne	McIntosh	Slosson	

Nays, none

Absent or not voting, 24

Adams	Chase	Holdoegel	Rees
Bowman	Darting	Kimberly	Romkey
Buser	Gilchrist	Mead	Shaff
Caldwell	Hale	Perkins	Shinn
Campbell	Hartman	Price	Thurston
Cessna	Haskell	Reed	Wichman

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

On motion of Senator Banta, Senate File No. 350, a bill for an act to repeal chapter two hundred seventy-nine (279), acts of the Thirty-ninth General Assembly, (section 529, supplement to the C. C.), relating to the counting of absent voters' ballots in precincts using voting machines and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Banta the words "prior to" in line 8 were stricken out and the word "after" inserted in lieu thereof.

The bill was read for information.

Senator Banta moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28

Abben	Caldwell	Mantz	Slosson
Baird	Dutcher	Nelson	Smith
Banta	Ethell	Newberry	Snook
Bergman	Fulton	Olson	Stoddard
Brookhart	Haskell	Price	Thurston
Brookins	Horchem	Scott	Tuck
Buser	McIntosh	Shane	White

Nays, none

Absent or not voting, 22

Adams	Darting	Johnston	Romkey
Bowman	Gilchrist	Kimberly	Shaff
Browne	Goodwin	Mead	Shinn
Campbell	Hale	Perkins	Wichman
Cessna	Hartman	Reed	
Chase	Holdoegel	Rees	

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

On motion of Senator Cessna, Senate File No. 341, a bill for an act to amend section sixteen hundred ninety-nine (1699) supplement to code 1913, (C. C. 5622) and to authorize any company organized under chapter four (4) of title nine (9) of the code of 1897 and amendments thereto, to invest its capital and funds in federal farm loan bonds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Shane the word "or" was inserted in line 5 preceding the word "federal"; and the word "that" was inserted preceding the word "section" in line one (1).

The bill was read for information.

Senator Cessna moved that the reading just had be considered the third reading, which motion prevailed.

Senator Brookhart invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 28

Abben	Caldwell	Mantz	Slosson
Baird	Cessna	Nelson	Smith
Banta	Ethell	Olson	Snook
Bergman	Fulton	Price	Stoddard
Brookhart	Goodwin	Romkey	Tuck
Brookins	Haskell	Scott	
Browne	Horchem	Shane	
	McIntosh	Shinn	

Nays, 4

Buser	Newberry	Thurston	White
Absent or not voting, 18			
Adams	Dutcher	Johnston	Rees
Bowman	Gilchrist	Kimberly	Shaff
Campbell	Hale	Mead	Wichman
Chase	Hartman	Perkins	
Darting	Holdoegel	Reed	

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

On motion of Senator Banta Senate File No. 5, a bill for an act to amend, revise, and codify sections fifty-six (56), fifty-seven (57), fifty-nine (59), and sixty-one (61) of the compiled code of Iowa, relating to the publication of the acts of the general assembly, 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:

1. In line three (8) of section four (4) strike out the word "original rolls" and insert in lieu thereof the words "enrolled bills".

2. That there be added to said bill as section 6 thereof the following:

That section sixty (60) of the compiled code of Iowa is amended, revised and codified to read as follows:

"Section 6. Six thousand (6,000) copies of said volume shall be printed and sold at such price as the executive council shall fix.

(C. C. 60, modified.)"

3. That the title to said bill be amended by inserting after the comma (,) and before the word "and" in the second (2nd) line of said title the following: "Sixty (60)".

The bill was read for information.

Senator Newberry moved that the rule be suspended whereby it would be necessary to refer this bill to the committee on appropriations.

Senator Price asked for a roll call.

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

Ayes, 13

Abben	Brookhart	Newberry	White
Baird	Buser	Scott	
Banta	Haskell	Slosson	
Bergman	Horchem	Stoddard	

Nays, 14

Brookins	Johnston	Price	Thurston
Browne	Mantz	Romkey	Tuck
Caldwell	Nelson	Shinn	
Ethell	Olson	Snook	

Absent or not voting, 23

Adams	Dutcher	Holdoegel	Rees
Bowman	Fulton	Kimberly	Shaff
Campbell	Gilchrist	McIntosh	Shane
Cessna	Goodwin	Mead	Smith
Chase	Hale	Perkins	Wichman
Harting	Hartman	Reed	

The motion to suspend the rule was lost.

Senator Banta moved that further consideration of the bill be deferred.

Senator Buser raised the point of order that the bill must be referred to the committee on appropriations under the rule.

The President held that the point was well taken, and the bill was referred to the committee on appropriations.

MOTION TO RECONSIDER

I move to reconsider the vote on House File No. 311 as amended by the Senate, by which the bill was lost, of date Feb. 14, 1923.

WILLIAM J. GOODWIN.

The Journal of February 13th was corrected and approved.

Senator White moved that the Senate adjourn until 9 a. m. Thursday.

Senator Price moved to amend the motion by making the hour 10 a. m.

Senator Buser asked for a roll call.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 14

Baird	Mantz	Shinn	Thurston
Banta	Price	Smith	Tuck
Bergman	Romkey	Snook	
Browne	Shane	Stoddard	

Nays, 12

Abben	Caldwell	Fulton	Newberry
Brookins	Cessna	Haskell	Scott
Buser	Ethell	Nelson	White

Absent or not voting, 24

Adams	Dutcher	Horchem	Perkins
Bowman	Gilchrist	Johnston	Reed
Brookhart	Goodwin	Kimberly	Rees
Campbell	Hale	McIntosh	Shaff
Chase	Hartman	Mead	Slosson
Darting	Holdoegel	Olson	Wichman

The amendment was adopted.

The motion as amended prevailed and the Senate adjourned until 10 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 15, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. F. G. Codd, pastor of the Baptist church of Carroll, Iowa.

On motion of Senator Price rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Caldwell from taxpayers of Oskaloosa endorsing the teachers' annuity bill. Schools.

By Senator Scott from directors of the Marshall county schools protesting the proposed ten mill tax for state aid to school districts. Ways and means.

By Senator Goodwin from the Des Moines Federation of Women's Clubs endorsing the teachers' annuity bill. Schools.

By Senator McIntosh from citizens of Cedar Rapids endorsing Senate File No. 299 relative to primary elections. Elections.

By Senator McIntosh from voters of Wapello county endorsing Senate File No. 299 relative to primary elections. Elections.

By Senator ——— from Bedford Post No. 164, American Legion, protesting the proposed repeal of the soldiers' tax exemption law. Military affairs.

By Senator Fulton from Allen Jewett Post No. 47, Fairfield, protesting the proposed repeal of the soldiers' tax exemption law. Military affairs.

By Senator Abben from citizens of Ocheyedan protesting the proposed gasoline tax. Ways and means.

INTRODUCTION OF BILLS

Senate File No. 460, by Senator Banta, a bill for an act to provide funds for completing sheep barn, and for maintenance, repairs and improvements to buildings on the state fair grounds, and to make an appropriation therefor.

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

Senate File No. 461, by Senator Baird, a bill for an act to repeal section two (2), chapter one hundred twenty (120), acts of the Thirty-eighth General Assembly (C. C. 2676) relating to the attendance of deaf and blind children at state schools, and to enact a substitute therefor.

Read first and second times and referred to committee on educational institutions.

Senate File No. 462, by Senator Bowman, a bill for an act to make appropriations for the State University of Iowa, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers College, and the Iowa School for the Deaf.

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

Senate File No. 463, by Senator Abben, a bill for an act appropriating \$2,000.00 to indemnify Roy Rogers for injuries received when accidentally shot while acting as deputy game warden and assisting the sheriff of Lyon county, Iowa, in arresting certain violators of the state fish and game laws.

Read first and second times and referred to committee on claims.

Senate File No. 464, by Senator Dutcher, a bill for an act to make appropriations for the construction of buildings and the purchase of land at the State University of Iowa, and the Iowa State College of Agriculture and Mechanic Arts.

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

Senate File No. 465; by Senator Holdoegel, a bill for an act to make appropriations to the State University of Iowa, and the Iowa State College of Agriculture and Mechanic Arts, for the purpose of providing dormitories at Iowa City and at Ames.

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

Senate File No. 466, by Senator Brown, a bill for an act to legalize a special election held in the city of Maquoketa, Jackson county, Iowa, on the 26th day of April, 1922, whereat there was submitted to the voters of said city the proposition of constructing and directing extensions to the municipal electric light and power system by extending the distribution system and installing additional power station equipment, and the proposition of issuing bonds of said city in the sum of seventy thousand dollars (\$70,000) to procure the necessary funds to defray the cost of constructing and erecting said extension and the municipal electric light and power system within said city.

Read first and second times and referred to committee on judiciary No. 1.

MESSAGES 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. 363, a bill for an act to amend chapter three hundred sixteen (316), acts of the Thirty-eighth General Assembly, relating to the granting of additional powers to cities and municipalities and to the board of health in cities and municipalities in regard to the removal of outside water-closets, privies and privy vaults.

Also, 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 section one hundred-e (100-e), supplement to the code, 1913 (compiled code, section 134), to provide for the auditing of the financial conditions of school corporations and authorizing the superintendent of public instruction and the auditor of state to prepare forms for the annual reports of school officers and the county superintendent.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 120, a bill for an act to amend, revise, and codify chapter four (4) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to state road districts, and the improvement and maintenance thereof.

Also, I am directed to inform your honorable body that the House returns herewith, as requested, House Joint Resolution No. 5, proposing to amend the constitution relating to the qualifications of members of the House of Representatives.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 363, a bill for an act to amend chapter three hundred sixteen (316), acts of the Thirty-eighth General Assembly, relating to the granting of additional powers to cities and municipalities and to the board of health in cities and municipalities in regard to the removal of outside water-closets, privies and privy vaults.

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

House File No. 275, a bill for an act to amend section one hundred-e (100-e) supplement to the code 1913 (C. C. 134), to provide for the auditing of the financial conditions of school corporations and authorize the superintendent of public instruction and the auditor of state to prepare forms for the annual reports of school officers and the county superintendent.

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

House File No. 120, a bill for an act to amend, revise, and codify chapter four (4) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to state road districts, and the improvement and maintenance thereof.

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 235, 243, 282, 73 and 259 and House Files Nos. 306 and 294.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports it has on this 14th day of February, 1923, sent to the Governor for his approval, Senate File No. 223.

F. C. GILCHRIST, *Chairman.*

Passed on file.

REPORTS OF COMMITTEES

Senator Ethell, 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. 152, a bill for an act to amend, revise and codify chapter twenty-four (24) of title twelve (12) of the compiled code of Iowa, relating to township halls, beg leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred Senate File No. 389, a bill for an act to amend section thirteen hundred seventy-three (1373) of the supplement of the code of Iowa, 1913, (C. C. 4602) relating to complaint to board of review and appeal, beg leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred House File No. 146, a bill for an act to amend, revise and codify chapter eighteen (18) of title twelve (12) of the compiled code of Iowa, relating to bounties on wild animals, beg leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred Senate File No. 416, a bill for an act to amend section fifteen hundred twenty-seven-s3 (1527-s3) supplemental supplement to the code, 1915, (C. C. sec. 2872) relating to the qualification, employment, salary and discharge of county engineers, beg leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred House File No. 132, a bill for an act to amend, revise and codify sections thirty-one hundred seventy-three (3173) and thirty-one hundred seventy-four (3174) of the compiled code of Iowa,

relating to the county treasurer, beg leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Senator Fulton, from the committee on banks, submitted the following report:

MR. PRESIDENT: Your committee on banks to whom was referred Senate File No. 339, a bill for an act to amend section eighteen hundred and fifty (1850), supplement to the code, 1913, (C. C. 5776) 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 it has had the same under consideration and recommends the same do pass.

C. J. FULTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks to whom was referred Senate File No. 352, a bill for an act to amend section three thousand thirty-eight (3038) of the code (C. C. sec. 5889) and section three thousand thirty-nine (3039) of the code (C. C. sec. 5890), relating to rates of interest and other items to be considered as interest, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. J. FULTON, *Chairman*.

Senator Brookhart moved as a substitute for the motion of the committee that the bill be placed upon the calendar and asked for a roll call.

On the question, "Shall the bill be placed upon the calendar?" the vote was:

Ayes, 16

Bowman
Brookhart
Brookins
Browne

Caldwell
Cessna
Darting
Johnston

McIntosh
Nelson
Rees
Romkey

Shinn
Snook
Stoddard
Tuck

Nays, 25

Abben
Baird
Bergman
Ruser
Campbell
Dutcher

Fulton
Gilchrist
Goodwin
Hale
Hartman
Haskell

Holdoegel
Horchem
Kimberly
Mantz
Perkins
Reed

Scott
Shane
Slosson
Smith
Thurston
White
Wichman

Absent or not voting, 9

Adams
Banta
Chase

Ethell
Mead
Newberry

Olson
Price

Shaff

The motion was lost, the report of the committee adopted, and the bill indefinitely postponed.

Senator Buser, from the committee on agriculture, submitted the following report:

MR. PRESIDENT: Your committee on agriculture to whom was referred Senate File No. 56, a bill for an act to amend revise and codify section eleven hundred ninety-nine (1199) of the Compiled Code of Iowa, relating to fences, beg leave to report it has had the same under consideration and recommends the same do pass. J. D. BUSER, *Chairman*.

Ordered passed on file.

Senator Browne, chairman of the committee on horticulture and forestry, submitted the following report:

MR. PRESIDENT: Your committee on horticulture and forestry to whom was referred Senate File No. 67, a bill for an act to amend, revise and codify sections sixteen hundred ninety-five (1695) seventeen hundred (1700) seventeen hundred one (1701) seventeen hundred five (1705) seventeen hundred eleven (1711) of the compiled code of Iowa and sections sixteen hundred ninety-three (1693) sixteen hundred ninety-four (1694) sixteen hundred ninety-eight-a-two (1698-a-2) and sixteen hundred ninety-eight-a three (1698-a3) of the supplement to said code, relating to the horticultural society, the horticultural exposition and fruit tree and forest reservations, beg leave to report they have had the same under consideration and recommend the adoption and passage of the following substitute:

CHAS. S. BROWNE, *Chairman*.

Report of committee adopted.

Substitute adopted.

SUBSTITUTE FOR SENATE FILE NO. 67

A BILL FOR

An act to amend, revise and codify sections sixteen hundred ninety-five (1695), seventeen hundred (1700), seventeen hundred one (1701), seventeen hundred five (1705) seventeen hundred eleven (1711) of the compiled code of Iowa, and sections sixteen hundred ninety-three (1693), sixteen hundred ninety-four (1694), sixteen hundred ninety-eight-a-2 (1698-a2) and sixteen hundred ninety-eight-a-three (1698-a3) of the supplement to said code, relating to the horticultural society, the horticultural exposition, and fruit tree and forest reservations.

Read first and second time and ordered placed on calendar.

REPORT OF COMMITTEE ON RURAL CREDITS

Mr. President and Members of the Iowa Senate:

We, your Special Committee on Rural Credits, beg leave to report that we have made a careful study of the laws of other states in relation to such credit, and respectfully submit the following report:

We feel that the state of Iowa, being an agricultural state should be relieved of the burden of the payment of excessive interest on land loans, which affect rural real estate, and find that the state of South Dakota has, in our opinion, the best method of securing such loans, which loans are based upon the credit of that entire state.

We further find, that the law governing such credits cannot be placed in operation in the state of Iowa, without a change in the constitution of our state.

We, therefore, recommend that the Bowman resolution, as introduced and now before the Senate of Iowa for its consideration be passed, in order that we may submit to the voters of Iowa an opportunity to decide upon the question of credit on rural real estate.

Respectfully submitted,

A. J. SHINN, *Chairman of the Senate Committee.*

VOLNEY DILTZ, *Chairman of the House Committee.*

The report was adopted.

ADJOURNMENT RESOLUTION CONSIDERED

Senator Abben called up the following concurrent resolution and moved its adoption:

Resolved by the Senate, the House concurring. That this General Assembly adjourn Friday, February 23, 1923, to reconvene Tuesday, March 6, 1923, at ten o'clock a. m.

Senator Price moved to amend by making the date of adjournment February 26 instead of February 23.

The amendment was lost.

Senator Price asked for a roll call.

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

Ayes, 25

Abben	Darting	Horchem	Scott
Baird	Dutcher	Mantz	Shane
Banta	Ethell	Mead	Shinn
Bergman	Gilchrist	Nelson	Smith
Browne	Hale	Newberry	Snook
Campbell	Holdoegel	Perkins	Stoddard
			Thurston

Nays, 19

Bowman	Fulton	Kimberly	Slosson
Brookins	Goodwin	McIntosh	Tuck
Buser	Hartman	Price	White
Caldwell	Haskell	Reed	Wichman
Cessna	Johnston	Rees	

Absent or not voting, 6

Adams	Chase	Romkey	Shaff
Brookhart	Olson		

The motion prevailed and the resolution was adopted.

Senator Price raised the point of order that the resolution had not received a constitutional majority.

The President held the point not well taken as it was only necessary for a concurrent resolution to have a majority of votes cast.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 259, 282, 235, 243, 73 and House Files 294 and 306.

THIRD READING OF BILLS

On motion of Senator Reed House File No. 38, a bill for an act to amend, revise and codify sections six hundred ninety-four (694), six hundred ninety-eight (698), seven hundred (700) and seven hundred three (703) of the compiled code of Iowa, relating to notaries public, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend by striking out section 4-a and inserting in lieu thereof:

Section 4-a. Any notary public, who is at the same time an officer, director or stockholder of a corporation is also hereby invested with the power to administer oaths to or take acknowledgments of any officer, director or stockholder of such corporation, other than himself, in any matter wherein said corporation is interested, and to take and certify acknowledgments of instruments made to such corporation, and is hereby authorized to protest for non-acceptance or non-payment, bills of exchange, drafts, checks, notes and other negotiable or non-negotiable instruments which may be owned or held for collection by such corporation, as fully and effectually as if he were not an officer, director or stockholder of such corporation.

The amendment was lost.

The bill was read for information.

Senator Reed moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37

Abben	Dutcher	Kimberly	Scott
Baird	Ethell	McIntosh	Shane
Banta	Fulton	Mantz	Slosson
Bergman	Gilchrist	Mead	Smith
Brookhart	Hale	Nelson	Snook
Brookins	Hartman	Newberry	Stoddard
Buser	Haskell	Perkins	Thurston
Campbell	Holdoegel	Reed	Tuck
Darting	Horchem	Rees	White
			Wichman

Nays, 1

Shinn

Absent or not voting, 12

Adams	Caldwell	Goodwin	Price
Bowman	Cessna	Johnston	Romkey
Browne	Chase	Olson	Shaff

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

On motion of Senator McIntosh, Senate File No. 264, a bill for an act to amend section four hundred ninety-nine-a1 (499-a1) of chapter seven-a (7-a) acts of the Thirty-ninth General Assembly relating to all election precincts having a double election board, 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 after the enacting clause and substituting the following: Section 1. That chapter sixty (60) section one (Sec. 1) acts of the Thirty-ninth General Assembly (section four hundred ninety-nine-a1 (499-a1) of chapter seven-a (7-a) of the supplement to the compiled code of Iowa, 1921 be amended by striking out the words "where three hundred or more votes were cast in the last preceding general election" after the word "Iowa" in the first line thereof.

It is further recommended that the title be amended to read as follows: An act to amend chapter sixty (60) section one (Sec. 1) acts of the Thirty-ninth General Assembly (section four hundred ninety-nine-a1 (499-a1) of chapter seven-a (7-a) of the supplement to the compiled code of Iowa, 1921 relating to all election precincts having a double election board.

Senator Ethell moved the previous question, which motion prevailed.

The bill was read for information.

Senator McIntosh moved that the reading just had be considered the third reading, which motion prevailed.

Senator McIntosh invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 18

Ranta	Campbell	Johnston	Shinn
Bowman	Darting	McIntosh	Snook
Brookhart	Ethell	Nelson	Wichman
Brookins	Gilchrist	Perkins	
Browne	Horchem	Romkey	

Nays, 25

Baird	Goodwin	Mantz	Shane
Bergman	Hale	Newberry	Slosson
Buser	Hartman	Price	Smith
Cessna	Haskell	Reed	Stoddard
Dutcher	Holdoegel	Rees	Thurston
Fulton	Kimberly	Scott	Tuck
			White

Absent or not voting, 7

Abben	Caldwell	Mead	Shaff
Adams	Chase	Olson	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Price moved to reconsider the vote by which the bill failed to pass the Senate and that the motion to reconsider be laid on the table.

Senator McIntosh asked for a division of the motion.

On the question, "Shall this motion to reconsider be laid on the table?" the vote was:

Ayes, 24

Baird	Fulton	Mead	Slosson
Bergman	Hale	Newberry	Smith
Buser	Hartman	Perkins	Stoddard
Cessna	Haskell	Price	Thurston
Dutcher	Holdoegel	Rees	Tuck
Ethell	Horchem	Scott	White

Nays, 12

Banta	Darting	McIntosh	Shinn
Browne	Gilchrist	Romkey	Snook
Campbell	Kimberly	Shane	Wichman

Absent or not voting, 14

Abben	Brookins	Johnston	Reed
Adams	Caldwell	Mantz	Shaff
Bowman	Chase	Nelson	
Brookhart	Goodwin	Olson	

The motion was laid on the table.

On motion of Senator Mantz, Senate File No. 359, a bill for an act to amend sections eleven hundred thirty-seven-c (1137-c), supplemental supplement to the code, 1915, (C. C. 522), and eleven hundred thirty-seven-e (1137-e), supplemental supplement to the code, 1915, (C. C. 524), relating to the absent voters' law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Mantz moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 43

Baird	Dutcher	McIntosh	Shane
Banta	Ethell	Mantz	Shinn
Bergman	Fulton	Mead	Slosson
Bowman	Gilchrist	Nelson	Smith
Brookhart	Hale	Newberry	Snook
Browne	Hartman	Perkins	Stoddard
Buser	Haskell	Price	Thurston
Caldwell	Holdoegel	Reed	Tuck
Campbell	Horchem	Rees	White
Cessna	Johnston	Romkey	Wichman
Darting	Kimberly	Scott	

Nays, none

Absent or not voting, 7

Abben	Brookins	Goodwin	Shaff
Adams	Chase	Olson	

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

On motion of Senator Snook, Senate File No. 303, a bill for an act to amend section thirty (30) (C. C. 3073) of chapter two hundred seventy-five (275) acts of the Thirty-eighth General Assembly as amended by chapter one hundred fifty-four (154) acts of the Thirty-ninth General Assembly relating to the operation of motor vehicles upon the public 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:

Amend by striking out the word and figure "five (5)" at the end of line eleven (11) and inserting in lieu thereof the word and figure "one (1)".

Also amend by striking out all of section one (1) after the period at the end of line eleven (11).

Senator Price offered the following amendment and moved its adoption:

Amend by striking out of lines nine (9) and ten (10) the words "while in an intoxicated condition" and by inserting the words "while in an intoxicated condition" after the word "whoever" in line nine (9).

The amendment was adopted.

Senator Thurston offered the following amendment and moved its adoption:

Amend by adding after the word "year" in line 11 "or by a fine of not more than one thousand dollars (\$1000.00) or by both such fine and imprisonment."

By unanimous consent on the request of Senator Thurston the word "punishable" was inserted in the amendment following the word "or".

The amendment was adopted.

By unanimous consent on the request of Senator Price the word "punishable" was stricken out and the words "be punished" inserted in lieu thereof.

Senator Reed moved that the word "of" be stricken from line five of the bill. Amendment adopted.

Senator Cessna moved the previous question, which motion prevailed and the previous question was ordered.

The bill was read for information.

Senator Snook moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41

Baird	Darting	Johnston	Scott
Banta	Dutcher	McIntosh	Shane
Bergman	Ethell	Mantz	Shinn
Bowman	Fulton	Mead	Slosson
Brookhart	Gilchrist	Nelson	Smith
Brookins	Goodwin	Newberry	Snook
Browne	Hale	Perkins	Stoddard
Caldwell	Hartman	Price	Thurston
Campbell	Holdoegel	Reed	Tuck
Cessna	Horchem	Romkey	White
			Wichman

Nays, 3

Buser	Haskell	Kimberly
Absent or not voting, 6		
Abben	Chase	Rees
Adams	Olson	Shaff

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Thurston offered the following amendment to the title and moved its adoption:

Amend the title by striking out the words "upon the public highway", and by inserting in lieu thereof the words "while intoxicated, and providing a penalty therefor".

The amendment was adopted and the title as amended was agreed to.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

On request of Senator Bowman consideration of Senate Joint Resolution No. 2 was deferred, to follow consideration of House Joint Resolution No. 5.

HOUSE JOINT RESOLUTION NO. 5 CONSIDERED

Senator Brookhart moved that the rules be suspended and the vote by which House Joint Resolution No. 5 passed the Senate be reconsidered and asked for a roll call.

On the question "Shall the rules be suspended and the vote be reconsidered?" the vote was:

Ayes, 40

Abben	Darting	Kimberly	Scott
Baird	Ethell	McIntosh	Shane
Banta	Fulton	Mantz	Shinn
Bergman	Gilchrist	Mead	Slosson
Bowman	Hale	Newberry	Smith
Brookhart	Hartman	Olson	Snook
Buser	Haskell	Perkins	Stoddard
Caldwell	Holdoegel	Price	Thurston
Campbell	Horchem	Reed	Tuck
Cessna	Johnston	Romkey	White

Nays, 1

Rees

Absent or not voting, 9

Adams	Browne	Dutcher	Nelson
Brookins	Chase	Goodwin	Shaff
			Wichman

The motion prevailed.

Senator Brookhart moved that the vote by which this resolution passed to its third reading be reconsidered.

On the question "Shall the vote be reconsidered?" the vote was:

Ayes, 39

Abben	Darting	McIntosh	Shane
Baird	Ethell	Mantz	Shinn
Banta	Fulton	Newberry	Slosson
Bergman	Gilchrist	Olson	Smith
Bowman	Hale	Perkins	Snook
Brookhart	Hartman	Price	Stoddard
Buser	Holdoegel	Reed	Thurston
Caldwell	Horchem	Rees	Tuck
Campbell	Johnston	Romkey	White
Cessna	Kimberly	Scott	

Nays, none

Absent or not voting, 11

Adams	Chase	Haskell	Shaff
Brookins	Dutcher	Mead	Wichman
Browne	Goodwin	Nelson	

The motion prevailed.

Senators Brookhart and Newberry offered the following amendment and moved its adoption:

Amend by striking out all of section 1 after the word "published" in line 12 and inserting in lieu thereof the following "for three months previous to the date of said election as provided by law".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 42

Abben	Darting	McIntosh	Shinn
Baird	Dutcher	Mantz	Slosson
Banta	Ethell	Newberry	Smith
Bergman	Fulton	Olson	Snook
Bowman	Gilchrist	Perkins	Stoddard
Brookhart	Hale	Price	Thurston
Brookins	Hartman	Reed	Tuck
Buser	Haskell	Rees	White
Caldwell	Holdoegel	Romkey	Wichman
Campbell	Horchem	Scott	
Cessna	Kimberly	Shane	

Nays, none

Absent or not voting, 8

Adams	Chase	Johnston	Nelson
Browne	Goodwin	Mead	Shaff

The amendment was adopted.

Senator Brookhart moved that the resolution as amended be read a third time, which motion prevailed.

HOUSE JOINT RESOLUTION NO. 5

Joint resolution proposing to amend Section four (4), Article three (3) of the Constitution of the state of Iowa, relating to the qualifications of members of the House of Representatives, and to Provide for its Reference and Publication.

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

Section 1. That the following amendment to the constitution of the state, be and the same is hereby proposed, viz:

Strike out the word "male" from Section four (4) of Article three (3) of said constitution, relating to the legislative department.

Resolved further, That the foregoing proposed amendment to the constitution of the state of Iowa be and the same hereby is referred to the Legislature, to be chosen at the next general election for members of the General Assembly, and that the Secretary of State cause the same to be published for three months previous to the date of said election as provided by law.

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

Ayes, 44

Abben	Darting	Kimberly	Scott
Baird	Dutcher	McIntosh	Shane
Banta	Ethell	Mantz	Shinn
Bergman	Fulton	Mead	Slosson
Bowman	Gilchrist	Newberry	Smith
Brookhart	Hale	Olson	Snook
Brookins	Hartman	Perkins	Stoddard
Buser	Haskell	Price	Thurston
Caldwell	Holdoegel	Reed	Tuck
Campbell	Horchem	Rees	White
Cessna	Johnston	Romkey	Wichman

Nays, none

Absent or not voting, 6

Adams	Chase	Nelson	Shaff
Browne	Goodwin		

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

THIRD READING OF BILLS

On motion of Senator Bowman Senate Joint Resolution No. 2, proposing an amendment to section one (1) of article VII of the constitution of the state of Iowa, relating to extending the credit of the state, was taken up and considered, the committee report having been previously adopted.

Senator Bowman moved that the resolution be read a third time now, which motion prevailed, and the resolution was read a third time.

JOINT RESOLUTION NO. 2

Amendment to the constitution proposed.

Joint resolution proposing an amendment to section one (1), of article VII of the constitution of the state of Iowa, relating to extending the credit of the state.

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 VII of the constitution of the state of Iowa be amended by adding thereto the following:

"Provided, however, the state may become indebted to establish and maintain a system of credits and thereby loan money and extend credit to resident citizens of the state upon rural real estate security located in the state of Iowa in such manner and upon such terms and conditions as may be prescribed by general law."

Resolved further, That the foregoing proposed amendment be and the same is hereby referred to the legislature to be chosen at the next Secretary of State shall cause the same to be published for three (3) general election for members of the next General Assembly, and that the months previous to the day of said election as provided by law.

Senator Baird invoked rule 8.

On the question "Shall the resolution pass?" the vote was:

Ayes, 30

Abben	Cessna	Mantz	Shinn
Banta	Darting	Mead	Slosson
Bowman	Ethell	Nelson	Snook
Brookhart	Gilchrist	Olson	Tuck
Brookins	Holdoegel	Price	White
Browne	Johnston	Reed	Wichman
Caldwell	Kimberly	Rees	
Campbell	McIntosh	Romkey	

Nays, 16

Baird	Fulton	Horchem	Shane
Bergman	Hale	Newberry	Smith
Buser	Hartman	Perkins	Stoddard
Dutcher	Haskell	Scott	Thurston

Absent or not voting, 4

Adams	Chase	Goodwin	Shaff
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The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

Senator Bowman moved that the vote by which the resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Reed House File No. 450 was substituted for Senate File No. 442.

On motion of Senator Reed House File No. 450, a bill for an act to repeal the law as it appears in section two thousand nine hundred-a eleven (2900-a11) of the supplement to the code, 1913, (C. C. 6472) and the enacting of a substitute therefor relating to the boundary commission, its powers and duties, was taken up and considered, having been substituted for Senate File No. 442, a committee bill.

The bill was read for information.

Senator Reed moved that the reading had just be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41

Abben	Cessna	Kimberly	Romkey
Baird	Dutcher	McIntosh	Scott
Banta	Ethell	Mantz	Shane
Bergman	Fulton	Mead	Shinn
Bowman	Gilchrist	Nelson	Slosson
Brookhart	Hale	Newberry	Smith
Brookins	Hartman	Perkins	Snook
Buser	Haskell	Price	Stoddard
Caldwell	Holdoegel	Reed	Thurston
Campbell	Horchem	Rees	Tuck
			White

Nays, none

Absent or not voting, 9

Adams	Darting	Olson	Wichman
Browne	Goodwin	Shaff	
Chase	Johnston		

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Reed moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Reed offered the following amendment to the title and moved its adoption:

Amend by striking out the title and substituting the following: "A bill for an act relating to a boundary commission, its powers and duties."

The amendment was adopted and the title as amended was agreed to.

By unanimous consent Senator Reed withdrew Senate File No. 442 from further consideration.

INTRODUCTION OF BILLS

Senate File No. 468, by Senator Perkins, a bill for an act to appropriate sufficient funds to care for drainage assessments in connection with the drainage of Goose lake, Greene county, Iowa.

Read first and second times and referred to committee on drainage.

Senate File No. 469, by Senator Banta, a bill for an act to amend section eighteen hundred and two (1802) of the compiled code and to amend section eighteen hundred and five (1805) of the compiled code and repeal a part thereof, relating to the registration of animals.

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

BILLS SENT TO THE GOVERNOR

Senator Gilchrist, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports it has on this 15th day of February, 1923, sent to the governor for his approval, Senate Files Nos. 259, 282, 235, 243 and 73.

F. C. GILCHRIST, *Chairman.*

Report adopted.

AMENDMENT FILED

I move to amend Senate File No. 337 by striking out all of section one (1) thereof and by substituting the following:

Section 1. To repeal section two thousand two hundred fifty-seven-r2 (2257-r2) of the supplemental supplement to the code, 1915, and by enacting in lieu thereof the following: "If for any reason, the board is unable to acquire such highway by agreement with the owner or owners, such owner or owners who are residents of the county shall be personally served in the manner original notices are required to be served, and such owner or owners who do not reside in said county shall be served by publishing a notice in some newspaper in the county, once each week for two weeks, but personal service outside of the county but within the state in the manner original notices are required to be served, shall be deemed personal service and shall take the place of published service, and in addition, notice shall be served in the manner original notices are required to be served upon the actual occupant of the land, if said land be occupied, notifying interested parties that three disinterested freeholders will be selected as appraisers, one by the board of supervisors, one by

the owner or owners of the property affected, where there are two or more tracts affected, and one by the two so appointed, said notice to fix a definite date upon which the interested party or parties may appear and name one appraiser, and in the event said owner or owners fail to appear, in person or by agent, or fail to agree upon the selection of an appraiser, the board of supervisors may appoint two of such appraisers who shall select a third appraiser, and such appraisers shall make a return of their doings within ten (10) days to the county auditor, and the board shall fix a day for a hearing, at which time it will consider the report of the appraisers and hear all objections to said change and claims for damages, and at which time it will determine all damages to each claimant by reason of such proposed change, and notice of such hearing shall be given to all interested parties in the manner as hereinbefore provided. The board, if it so desires, may fix dates for appointing appraisers and consideration of their report, objections and claims for damages in one notice."

LLOYD THURSTON.

The Journal of February 14th was corrected and approved.

On motion of Senator Cessna the Senate adjourned until 9:30 a. m. Friday.

JOURNAL OF THE HOUSE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 16, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. S. J. Mathieson, associate pastor of the University Place Church of Christ of Des Moines.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Caldwell for the day, on request of Senator Shinn.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator McIntosh from voters of Sioux City relative to Senate File 299. Elections.

By Senator Mantz from the Lake Mills school board relative to House File 367. Schools.

By Senator McIntosh from citizens of Marshalltown relative to acceptance of the provisions of the Sheppard-Towner act. Appropriations.

By Senator Slosson from citizens of Lake Mills relative to the teachers' annuity bill. Schools.

By Senator Mantz from the Marshalltown League of Women Voters relative to acceptance of the provisions of the Sheppard-Towner act. Appropriations.

By Senator Mantz from the Guthrie Center Woman's club relative to acceptance of the gift to the university hospital. Appropriations.

By Senator Stoddard from taxpayers of Sioux City endorsing the teachers' annuity bill. Schools.

By Senator Stoddard from the county board of education of Woodbury county protesting the Berry bill. Schools.

By Senator Hartman from citizens of Postville relative to Code Commissioners' Bills 42, 92, 260 and 262 relative to medical treatment. Public health.

INTRODUCTION OF BILLS

Senate File No. 470, by Senator Wichman, a bill for an act to repeal section one thousand four hundred fifteen (1415) of the supplement to the code, 1913, (C. C. 4660) relating to apportionment of tax and interest, and enacting a substitute therefor.

Read first and second times and referred to committee on ways and means.

Senate File No. 471, by Senator Wichman, a bill for an act to amend the law as it appears in section one thousand four hundred seven (1407) of the supplement to the code, 1913, (C. C. 4653) relating to the collection of delinquent personal tax.

Read first and second times and referred to committee on ways and means.

Senate File No. 472, by Senator Holdoegel, a bill for an act to repeal chapter seventeen (17) of chapter two hundred eighty-seven (287), acts of the Thirty-eighth General Assembly, as amended by chapter three hundred two (302), acts of the Thirty-ninth General Assembly (C. C. 1734) and to enact a substitute therefor, relative to the appropriation for the enforcement of the act to eradicate contagious and infectious diseases among domestic animals.

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

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate File 223.

REPORTS OF COMMITTEES

Senator Haskell, 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. 319, a bill for an act to amend the law as it appears in sec. one (1), chapt. eighty-five (85), acts of the Thirty-eighth

G. A. (C. C. sec. 4000) by extending the authority therein conferred to special charter cities of less than thirty-five thousand (35,000) population, beg leave to report it has had the same under consideration and recommends 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 chapter fourteen (14) of title five (5) of the code be, and the same is hereby amended by adding thereto the following:

"The heating plants, gas works or electric light or electric power plants authorized to be purchased or erected by cities acting under special charters having a population of less than thirty-five thousand shall be acquired, erected, managed and operated by a board of trustees, which shall be composed of three resident electors, appointed for the term of six years by the mayor of said city. After the authorization of the purchase or erection of such works or plant by the electors of such city, in the manner provided by law, the mayor thereof shall thereafter appoint such board of trustees, the first appointees thereof to hold office for the following designated terms, namely: one for two years, one for four years, and one for six years. All vacancies occurring on said board, occasioned by expiration of terms, by death, resignation or removal, shall be filled by appointment by the mayor of such city.

"The compensation of said trustees shall be not more than three hundred dollars (\$300.00) per annum to each member of said board. Each of said trustees shall execute and furnish to the city an official bond in the sum of ten thousand dollars (\$10,000) 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. 2. The said board of trustees shall have power to contract for the purchase or erection and construction of any such works or plant, and like powers and authority to manage and control the same as are conferred upon waterworks, trustees appointed as provided in section seven hundred forty-seven-a (747-a), supplement to the code of 1913.

"Sec. 3. All acts or parts of acts inconsistent with this act are hereby repealed.

"Sec. 4. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Register and the Des Moines News, newspapers published in Des Moines, Iowa."

Also amend the title by striking out all of said title and substituting in lieu thereof the following:

A BILL FOR

An act to amend chapter fourteen (14), title five (5) of the code, relating to the powers of cities under special charters; and providing for the appointment of trustees in cities acting under special charters,

having a population of less than thirty-five thousand and owning their own heating plant, gas works, or electric light or electric power plants; providing for the duties of such trustees, and fixing their compensation.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to whom was referred Senate File No. 420, a bill for an act making section one thousand fifty-three (1053) of the code of 1897 applicable to cities organized under chapter 14-D of the supplement to the code 1915, beg leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by inserting after the word "Under" the word and character "Title V". Also by amending section 1 as follows: insert the word and character "Title V" after the word "under" in line 3 of said section,

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to whom was referred Senate File No. 422, a bill for an act to amend chapter eighty-five (85) Acts of the Thirty-eighth General Assembly (C. C. 3974) relating to powers of cities and towns with reference to water works, heating plants, gas works or electric light or electric power plants, beg leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to whom was referred Senate File No. 161, a bill for an act to amend, revise and codify section three thousand seven hundred eight (3708) of the compiled code of Iowa, relating to municipal corporations, beg leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Senator Mantz, from the committee on educational institutions, submitted the following report:

MR. PRESIDENT: Your committee on educational institutions to whom was referred Senate File No. 96, a bill for an act to amend, revise and codify sections two thousand four hundred forty-one (2441) to two thousand four hundred forty-three (2443), inclusive, of the compiled code of Iowa, relating to the school for the deaf, beg leave to report it has

had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by adding to section two (2), the following:

"The fee for non-residents shall be not less than the average expense of resident pupils and shall be paid in advance."

H. J. MANTZ, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on educational institutions to whom was referred Senate File No. 94, a bill for an act to amend, revise and codify sections two thousand four hundred thirty-one (2431), two thousand four hundred thirty-three (2433), two thousand four hundred thirty-four (2434) and two thousand four hundred thirty-five (2435) of the compiled code of Iowa, relating to the Iowa State Teachers College, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend section two (2) by inserting the words "and students" after the word "pupils" in line two (2) of said section.

Amend section three (3) by inserting the words "the training school of" after the word "into" in line four (4) of said section.

Amend by adding as sub-section 1-a of section one (1) the following: "Neither any member of the board or finance committee shall be appointed to any lucrative position in any of said institutions by the board during his term of office or for one year after expiration thereof."

H. J. MANTZ, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on educational institutions to whom was referred Senate File No. 333, a bill for an act to make an appropriation in favor of certain independent school districts that during the school year 1921-1922 maintained day schools for deaf children, beg leave to report it has had the same under consideration and recommends the same do pass after reference to the committee on appropriations.

H. J. MANTZ, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on educational institutions to whom was referred Senate File No. 332, a bill for an act to amend the law as it appears in section two (2) of chapter three hundred eight (308), acts of the Thirty-seventh General Assembly (compiled code, section 2630), relating to the education of deaf children, beg leave to report it has had the same under consideration and recommends the same do pass.

H. J. MANTZ, *Chairman*.

Ordered passed on file.

Senator Brookhart, 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. 433, a bill for an act to amend section fifty-four hundred forty-eight (5448) of the supplement to the code, 1913 (C. C. sec. 9559), and section fifty-four hundred fifty-three (5453) of the code, 1897, (C. C. sec. 9564), relating to the time within which an appeal may be taken to the supreme court in criminal cases, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 435, a bill for an act to amend section forty-seven fifty-eight (4758) of the code of 1897 relating to ravishment of imbecile females, beg leave to report it has had the same under consideration and recommends 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 four thousand seven hundred fifty-eight (4758) of the code of 1897, be amended by striking out all after the word "punished" in line seven (7) and inserting in lieu thereof the following: "by imprisonment for life or any term of years."

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its passage and its publication in the Des Moines Register and the Des Moines Capital, newspapers published at Des Moines, Iowa.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 305, a bill for an act repealing sections five thousand five hundred fifteen (5515) (C. C. sec. 9268), five thousand five hundred sixteen (5516) (C. C. sec. 9269), five thousand five hundred seventeen (5517) (C. C. sec. 9270) of the code of 1897, and section five thousand five hundred eighteen (5518) (C. C. sec. 9271) and five thousand five hundred nineteen (5519) (C. C. sec. 9272) of the supplement to the code, 1913, relating to forfeiture of bail, and to enact a substitute therefor, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

ASSIGNMENT OF PRESS GALLERY SEAT

Peter Ainsworth, correspondent for the Iowa State Student, was assigned to seat No. 61 of the press gallery.

THIRD READING OF BILLS

On motion of Senator Thurston, Senate File No. 337, a bill for an act to amend the law as it appears in section fifteen hundred twenty-seven (1527)-r two (2) of supplemental supplement of the code of nineteen hundred fifteen (1915) (C. C. sec. 2829) in relation to the establishment of roads, was taken up and considered.

Senator Thurston offered the following amendment and moved its adoption:

Amend Senate File No. 337 by striking out all of section one (1) thereof and by substituting the following:

Section 1. To repeal section fifteen hundred twenty-seven-r2 (1527-r2) of the supplemental supplement to the code, 1915, and by enacting in lieu thereof the following: "If for any reason, the board is unable to acquire such highway by agreement with the owner or owners, such owner or owners who are residents of the county shall be personally served in the manner original notices are required to be served, and such owner or owners who do not reside in said county shall be served by publishing a notice in some newspaper in the county, once each week for two weeks, but personal service outside of the county but within the state in the manner original notices are required to be served, shall be deemed personal service and shall take the place of published service, and in addition, notice shall be served in the manner original notices are required to be served upon the actual occupant of the land, if said land be occupied, notifying interested parties that three disinterested freeholders will be selected as appraisers, one by the board of supervisors, one by the owner or owners of the property affected, where there are two or more tracts affected, and one by the two so appointed, said notice to fix a definite date upon which the interested party or parties may appear and name one appraiser, and in the event said owner or owners fail to appear, in person or by agent, or fail to agree upon the selection of an appraiser, the board of supervisors may appoint two of such appraisers who shall select a third appraiser, and such appraisers shall make a return of their doings within ten (10) days to the county auditor, and the board shall fix a day for a hearing, at which time it will consider the report of the appraisers and hear all objections to said change and claims for damages, and at which time it will determine all damages to each claimant by reason of such proposed change, and notice of such hearing shall be given to all interested parties in the manner as hereinbefore provided. The board, if it so desires, may fix dates for appointing appraisers and consideration of their report, objections and claims for damages in one notice."

The amendment was adopted.

The bill was read for information.

Senator Thurston moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Darting	Johnston	Shane
Baird	Ethell	McIntosh	Shinn
Bergman	Fulton	Mantz	Slosson
Bowman	Gilchrist	Mead	Smith
Brookhart	Goodwin	Olson	Snook
Brookins	Hartman	Perkins	Stoddard
Browne	Haskell	Price	Thurston
Buser	Holdoegel	Romkey	Tuck
Campbell	Horchem	Scott	White
			Wichman

Nays, 1.

Newberry

Absent or not voting, 12.

Adams	Cessna	Hale	Reed
Banta	Chase	Kimberly	Rees
Caldwell	Dutcher	Nelson	Shaff

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Thurston offered the following amendment to the title and moved its adoption:

Amend the title by adding after the word "amend" in line one a comma (,) and the words "revise and codify"; also amend by striking out the period (.) after the word "roads" in the last line, and by substituting a comma (,) therefor and by adding the words "and to enact a substitute therefor".

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Price, Senate File No. 363, a bill for an act relating to concealed weapons, firearms and toy pistols; providing for the issuance of permits upon certain conditions; providing for registration of dealers, dealers' permits, and reports; providing for the registration of all pistols, revolvers and similar firearms, and providing penalties for a violation of the terms thereof, was taken up and considered, the committee having reported the bill out without recommendation.

The bill was read for information.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out sections 16 and 17 and renumbering the sections following.

The amendment was adopted.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out the word "loan" in line 2 of section 7.

The amendment was adopted.

Senator Smith offered the following amendment and moved its adoption:

Amend by striking out section 7 and renumbering the sections following.

Senator Price asked for a roll call.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 6.

Abben	Gilchrist	Smith	White
Ethell	Goodwin		

Nays, 32.

Baird	Cessna	Horchem	Rees
Banta	Daring	Johnston	Romkey
Bergman	Dutcher	Kimberly	Scott
Brookhart	Fulton	Mantz	Shane
Brookins	Hale	Olson	Slosson
Browne	Hartman	Perkins	Snook
Buser	Haskell	Price	Thurston
Campbell	Holdoegel	Reed	Wichman

Absent or not voting, 12.

Adams	Chase	Nelson	Shinn
Bowman	McIntosh	Newberry	Stoddard
Caldwell	Mead	Shaff	Tuck

The amendment was lost.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by striking out of lines 2 and 3 of section 7 the words "or other firearms" and by changing the period after the word "weapon" in line 6 of section 7 to a comma and adding the following: unless a permit is secured as provided by law." and by striking out of line four of section one the words "or other firearms".

The amendment was adopted.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out the word "bludgeon" in line 5 of section 1 and line 4 of section 7.

The amendment was adopted.

Senator Mantz offered the following amendment and moved its adoption:

Amend by striking from lines 2 and 3 of section 13 the words "or toy pistol or toy revolver".

The amendment was adopted.

Senator Baird offered the following amendment and moved its adoption:

Amend by striking the word "sword" from line 5 of section 7.

The amendment was adopted.

Senator Baird offered the following amendment and moved its adoption:

Amend by striking the word "swords" from line six of section twelve.

The amendment was adopted.

By unanimous consent on the request of Senator Price the word "and" in line 20 of section 4 was changed to "but" and the word "it" was inserted in said line after the word "event".

Senator Thurston moved the previous question, which motion prevailed and the previous question was ordered.

Senator Price moved that the reading just had be considered the third reading, which motion prevailed.

Senator Price invoked Rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 27.

Banta	Darting	Mantz	Scott
Bergman	Fulton	Mead	Shane
Bowman	Goodwin	Nelson	Shinn
Brookhart	Hartman	Newberry	Snook
Browne	Johnston	Price	Thurston
Campbell	Kimberly	Reed	Tuck
Cessna	McIntosh	Romkey	

Nays, 19.

Abben	Ethell	Horchem	Smith
Baird	Gilchrist	Olson	Stoddard
Brookins	Hale	Perkins	White
Buser	Haskell	Rees	Wichman
Dutcher	Holdoegel	Slosson	

Absent or not voting, 4.

Adams	Caldwell	Chase	Shaff
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Price moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Ethell, Senate File No. 272, a bill for an act to repeal section twenty-seven hundred fifty-seven (2757), supplemental supplement to the code, 1915 (C. C. sec. 2548) and section twenty-seven hundred fifty-eight (2758) of the supplement of 1913 to the code (C. C. sec. 2545) relating to organization of school boards, meetings of the directors, election of officers, reports of the secretaries and treasurers of the board, the qualifications of school officers, extension of the term in certain districts and providing for the filling of vacancies in office and an act to 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 the word "the" and substituting the words "of a" in lieu thereof at the end of line 6, section 2; and by striking out the word "as" in line 10, section 4, after the word "office" and substituting the word "of" in lieu thereof; and by striking out of line 2, section 1, the figures "2478" enclosed in brackets and by substituting in lieu thereof the figures "2548".

By unanimous consent on request of Senator Ethell the word "or" in line 5 of section 4 was stricken out and the word "of" inserted in lieu thereof.

The bill was read for information.

By unanimous consent on request of Senator Mantz the word "next" was inserted in line 15 of section 4 between the words "the" and "annual" in Senate File No. 272.

Senator Ethell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 43.

Abben	Browne	Fulton	Horchem
Baird	Buser	Gilchrist	Kimberly
Banta	Campbell	Goodwin	McIntosh
Bergman	Cessna	Hale	Mantz
Bowman	Darting	Hartman	Mead
Brookhart	Dutcher	Haskell	Nelson
Brookins	Ethell	Holdoegel	Newberry

Olson	Romkey	Slosson	Thurston
Perkins	Scott	Smith	Tuck
Price	Shane	Snook	Wichman
Rees	Shinn	Stoddard	

Nays, 1.

Johnston

Absent or not voting, 6.

Adams	Chase	Shaft	White
Caldwell	Reed		

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

Senator Ethell moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

CONCURRENT RESOLUTION

Senator Thurston offered the following resolution:

Be It Resolved by the Senate the House concurring, That Colonel Owsley and Colonel MacNider, commander and late commander of the American Legion, respectively, be extended an invitation to address a joint session of the House and Senate in the House on Saturday, February 17th.

By unanimous consent the resolution was taken up and considered. Senator Thurston moved its adoption.

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

Ayes, 35.

Abben	Goodwin	Nelson	Shinn
Baird	Hale	Newberry	Slosson
Bergman	Holdoegel	Olson	Smith
Brookhart	Horchem	Perkins	Snook
Brookins	Johnston	Price	Stoddard
Browne	Kimberly	Rees	Thurston
Campbell	McIntosh	Romkey	Tuck
Dutcher	Mantz	Scott	Wichman
Ethell	Mead	Shane	

Nays, none.

Absent or not voting, 15.

Adams	Caldwell	Fulton	Reed
Banta	Cessna	Gilchrist	Shaft
Bowman	Chase	Hartman	White
Buser	Darting	Haskell	

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

On motion of Senator Bergman, Senate File No. 414, a bill for an act to amend section two thousand five hundred fifty-one (2551)

supplemental supplement to the code, 1915, (C. C. 1124) relating to the use of artificial ambushes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Bergman moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Dutcher	Kimberly	Shinn
Baird	Ethell	McIntosh	Slosson
Bergman	Gilchrist	Mantz	Smith
Bowman	Goodwin	Nelson	Snook
Brookhart	Hale	Olson	Stoddard
Brookins	Hartman	Perkins	Thurston
Browne	Haskell	Price	Tuck
Campbell	Holdoegel	Romkey	White
Cessna	Horchem	Scott	Wichman
Darting	Johnston	Shane	

Nays, 2.

Banta	Buser
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Absent or not voting, 9.

Adams	Fulton	Reed	Shaff
Caldwell	Mead	Rees	
Chase	Newberry		

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

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President John Ham-mill presiding.

On motion of Senator Hale, House File No. 152, a bill for an act to amend, revise and codify chapter twenty-four (24) of title twelve (12) of the compiled code of Iowa, relating to township halls, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hale moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 28.

Abben	Cessna	Hartman	Scott
Baird	Darting	Holdoegel	Shinn
Bergman	Dutcher	Johnston	Slosson
Brookins	Ethell	Mead	Snook
Browne	Gilchrist	Newberry	Stoddard
Buser	Goodwin	Price	Thurston
Campbell	Hale	Rees	White

Nays, none.

Absent or not voting, 22.

Adams	Fulton	Nelson	Shane
Banta	Haskell	Olson	Smith
Bowman	Horchem	Perkins	Tuck
Brookhart	Kimberly	Reed	Wichman
Caldwell	McIntosh	Romkey	
Chase	Mantz	Shaft	

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

On motion of Senator Ethell, House File No. 146, a bill for an act to amend, revise and codify chapter eighteen (18) of title twelve (12) of the compiled code of Iowa, relating to bounties on wild animals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Browne moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Abben	Cessna	Hartman	Rees
Baird	Darting	Haskell	Scott
Bergman	Dutcher	Holdoegel	Shinn
Brookins	Ethell	Johnston	Slosson
Browne	Gilchrist	Mead	Snook
Buser	Goodwin	Newberry	Stoddard
Campbell	Hale	Olson	Thurston
			White

Nays, none.

Absent or not voting, 21.

Adams	Fulton	Perkins	Smith
Banta	Horchem	Price	Tuck
Bowman	Kimberly	Reed	Wichman
Brookhart	McIntosh	Romkey	
Caldwell	Mantz	Shaft	
Chase	Nelson	Shane	

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

On motion of Senator Ethell, House File No. 132, a bill for an act to amend, revise and codify sections thirty-one hundred seventy-three (3173) and thirty-one hundred seventy-four (3174) of the compiled code of Iowa, relating to the county treasurer, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Shinn moved that the reading just had be considered the third reading, which motion prevailed.

Senator Ethell invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Abben	Cessna	Hartman	Scott
Baird	Darting	Haskell	Shinn
Bergman	Dutcher	Holdoegel	Slosson
Brookins	Ethell	Johnston	Snook
Browne	Gilchrist	Mead	Stoddard
Buser	Goodwin	Nelson	Thurston
Campbell	Hale	Newberry	White

Nays, 1.

Price

Absent or not voting, 21.

Adams	Chase	Mantz	Romkey
Banta	Fulton	Olson	Shaff
Bowman	Horchem	Perkins	Shane
Brookhart	Kimberly	Reed	Smith
Caldwell	McIntosh	Rees	Tuck
			Wichman

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

On motion of Senator Price, Senate File No. 389, a bill for an act to amend section thirteen hundred seventy-three (1373) of the supplement to the code of Iowa, 1913, (C. C. 4602) relating to complaint to board of review and appeal, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Price a comma (,) was inserted between the words "review" and "all" and after the word "of" in line 8.

The bill was read for information.

Senator Price moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was :

Ayes, 38.

Abben	Ethell	McIntosh	Shinn
Baird	Gilchrist	Mantz	Slosson
Bergman	Goodwin	Mead	Snook
Bowman	Hale	Nelson	Stoddard
Brookins	Hartman	Newberry	Thurston
Browne	Haskell	Olson	Tuck
Campbell	Holdoegel	Price	White
Cessna	Horchem	Romkey	Wichman
Darting	Johnston	Scott	
Dutcher	Kimberly	Shane	

Nays, none.

Absent or not voting, 12.

Adams	Buser	Futon	Rees
Banta	Caldwell	Perkins	Shaff
Brookhart	Chase	Reed	Smith

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

On motion of Senator Mead, Senate File No. 407, a bill for an act to amend section 2652-b, of the supplemental supplement to the code, 1915, relating to the ownership and title of wild game, birds, and fish, and providing for the ownership of mussels, clams and frogs, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Mead moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was :

Ayes, 34.

Abben	Darting	McIntosh	Smith
Baird	Fulton	Mantz	Snook
Banta	Goodwin	Mead	Stoddard
Bergman	Hartman	Newberry	Thurston
Bowman	Haskell	Perkins	Tuck
Brookins	Holdoegel	Price	White
Browne	Horchem	Romkey	Wichman
Campbell	Johnston	Scott	
Cessna	Kimberly	Shane	

Nays, 3.

Hale	Olson	Shinn
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Absent or not voting, 13.

Adams	Caldwell	Ethell	Reed
Brookhart	Chase	Gilchrist	Rees
Buser	Dutcher	Nelson	Shaff
			Slosson

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

On motion of Senator Cessna, Senate File No. 339, a bill for an act to amend section eighteen hundred and fifty (1850), supplement to the code, 1913, (C. C. 5776) 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

On motion of Senator Campbell further action was deferred until 11 a. m. Monday.

On motion of Senator Mantz, Senate File No. 326, a bill for an act to amend sections 2563-a3, supplement to the code, 1913, (C. C. 1142), 2563-a7, supplement to the code, 1913, (C. C. 1146) 2563-a9, S. 1913, (C. C. 1148) and repeal section 2563-a4, supplemental supplement 1915, (C. C. 1143), and to enact a substitute in lieu thereof relating to the protection of game, was taken up and considered, the committee report for indefinite postponement having been rejected.

Senator Banta offered the following amendment and moved its adoption:

Amend by striking from line 13 thereof the words and figures "eighty-five per cent (85%) " and by substituting in lieu thereof the words and figures "ninety per cent (90%)".

The amendment was lost.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out of line 14 of section 4 the words and figures "eighty-five per cent (85%) of" and by striking from lines 16, 17 and 18 of said section the following: "The remainder of said fees shall be turned into the general fund of the county, the same as other fees".

The amendment was adopted.

The bill was read for information.

Senator Mantz moved that the reading just had be considered the third reading, which motion prevailed.

Senator Mantz invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 21.

Abben	Dutcher	Mantz	Romkey
Banta	Gilchrist	Newberry	Scott
Bergman	Holdoegel	Perkins	Slosson
Campbell	Johnston	Reed	Stoddard
Darting	McIntosh	Rees	Thurston
			Wichman

Nays, 22.

Bowman	Fulton	Kimberly	Smith
Brookhart	Goodwin	Nelson	Snook
Brookins	Hale	Olson	Tuck
Browne	Hartman	Price	White
Buser	Haskell	Shane	
Ethell	Horchem	Shinn	

Absent or not voting, 7.

Adams	Caldwell	Chase	Shaff
Baird	Cessna	Mead	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Price moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Brookhart Senate File No. 416 was made a special order for Tuesday at 10 a. m.

MOTION TO TAKE FROM TABLE

I move to take from the table the motion to reconsider the vote by which Senate File No. 264 failed to pass the Senate.

J. A. MCINTOSH.

INTRODUCTION OF BILLS

Senate File No. 473, by Senator Banta, a bill for an act making a misdemeanor the registration of any individual or individuals under false, fictitious or assumed names in any hotel, inn, eating house or rooming house, and prescribing the penalty therefor.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 474, by Senator Scott, a bill for an act to prohibit the solicitation of orders for the sale of cigarettes by advertisements in newspapers, magazines, periodicals, letters, posters, billboards,

circulars, order blanks, price lists, hand bills or other form of written or printed matter, except by dealers licensed under the provisions of the laws of Iowa, and providing penalties for a violation thereof.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 475, by Senator Tuck (Scott of Fremont) a bill for an act to create a textbook board and committee for the purpose of preparing for use in the public schools of the state a uniform system of textbooks, registers, records, and school apparatus, to regulate the sale of school books and school supplies, to define the duty of bidders and certain officers in carrying out the provisions of this act, and to provide penalties for the violation of same.

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

Senate File No. 476, by Senator Romkey, a bill for an act to amend section nineteen hundred eighty-nine-a52f (1989-a52f) supplemental supplement to the code, 1915, (C. C. 4910), relating to levees, ditches, and water courses.

Read first and second times and referred to committee on drainage.

Senate File No. 477, by Senator Gilchrist, a bill for an act to repeal section seven hundred thirty-one (731), of the code, 1897, (compiled code, sec. 3757), relating to reports of boards of trustees of public libraries, and to enact a substitute therefor.

Read first and second times and referred to committee on public libraries.

Senate File No. 478, by Senator Abben, a bill for an act amending section seventeen hundred fifty-three (1753) of the code, 1897, (C. C. 5668) relating to examination of foreign insurance companies.

Read first and second times and referred to committee on insurance.

Senate File No. 479, by Senator Abben, a bill for an act amending section seventeen hundred seventy-nine (1779) of the code, (C. C. 5488), relating to life insurance.

Read first and second times and referred to committee on insurance.

Senate File No. 480, by Senator Buser, a bill for an act to amend section ten hundred fifty-six-b twenty-six (1056-b26) supplemental supplement to the code, 1915, (C. C. sec. 4298), relating to the government of cities and towns by a council and manager.

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

Senator Goodwin called up his motion to reconsider the vote by which House File 311 failed to pass the Senate.

The motion to reconsider prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 28.

Abben	Goodwin	Newberry	Shinn
Bergman	Haskell	Olson	Smith
Brookins	Holdoegel	Perkins	Snook
Campbell	Horchem	Price	Stoddard
Darting	Kimberly	Reed	Thurston
Dutcher	Mead	Scott	White
Gilchrist	Nelson	Shane	Wichman

Nays, 13.

Brookhart	Ethell	Mantz	Slosson
Buser	Fulton	Rees	Tuck
Cessna	Johnston	Romkey	

Absent or not voting, 9.

Adams	Bowman	Chase	Shaft
Baird	Browne	McIntosh	
Banta	Caldwell		

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

REPORT OF COMMITTEE

Senator Wichman, from the committee on elections, submitted the following report:

MR. PRESIDENT: Your committee on elections to whom was referred House File No. 286, a bill for an act to amend section one thousand seventy-two (1072) supplement to the code, 1913 (C. C. 357 and 2478) as amended by chapter fifty-six, acts of the Thirty-eighth General Assembly and section two thousand seven hundred thirty-four-b-one (2734-b-1) of the supplement to the code 1913, (C. C. 2480) relating to the election of county superintendents of schools, begs leave to report it has had the same under consideration and returns the bill without recommendation.

J. E. WICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections to whom was referred Senate File No. 298, a bill for an act to amend sections ten hundred eighty-seven-a-four (1087-a-4) ten hundred eighty-seven-a nineteen (1087-a-19), ten hundred eighty-seven-a twenty-two (1087-a-22) and ten hundred

eighty-seven-a twenty-four-a (1087-a-24-a) of the supplement to the code, 1913 (C. C. sec. 366-380-384-387) relating to the time of holding the primary election, begs leave to report it has had the same under consideration and recommends the same do pass.

J. E. WICHMAN, *Chairman*.

Ordered passed on file.

SUBSTITUTE FOR HOUSE FILE 286

Senator Smith offered the following substitute for House File 286 and on motion it was ordered printed in the Journal:

A BILL FOR

An act to provide for the election of county superintendents of schools and county boards of education; and to repeal section two thousand seven hundred thirty-four-b one (2734-b1) of the supplement to the code of Iowa, 1913, (C. C. sec. 2480) and section one thousand seventy-two (1072) of the supplement to the code of Iowa, 1913, as amended by chapter fifty-six (56) of the acts of the Thirty-eighth General Assembly (C. C. secs. 357 and 2478), and to enact a substitute therefor.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. (a) That in each county in the state, a county superintendent of schools shall be elected at the annual school meeting held in each school corporation on the second Monday in March, 1924; and biennially thereafter, in the even numbered years, a county superintendent of schools shall be elected, who shall hold his office for the term of two years from the first day of August next succeeding his election, or until his successor is duly elected and qualified. Any person qualified to vote at such school meeting in any school corporation shall be a qualified elector for the county superintendent having jurisdiction over the schools of such corporation. Such elections shall be by ballot, and the judges thereof shall be the same as are provided by law for the election of school directors.

(b) Any person having the qualifications for the office of county superintendent of schools, as provided by law, shall be entitled to have his name printed on the official ballots for such election, if there shall be filed with the county auditor on his behalf, at least twenty days prior to the time of holding such election, proof of such qualifications and nomination papers in substantially the following form:

"I, the undersigned, a qualified voter of.....school district (or township).....county, state of Iowa, do hereby nominate ofcounty, state of Iowa, as a candidate for the office of county superintendent of schools of.....county, state of Iowa, to be voted for at the election for such office on the second Monday in March, 19...."

Such nomination papers shall be signed by at least ten (10) qualified electors in not less than one-fourth of the school corporations in said

county, and shall be verified in the same manner as, and conform in other respects to the law regarding nomination papers for other county offices, so far as the same shall be applicable. No person shall sign nomination papers for more than one candidate for such office.

(c) The county auditor shall cause to be prepared ballots for such election, on which shall be printed the names of all persons legally nominated for such office, and the law relating to the preparation of ballots for primary elections shall govern, so far as the same may be applicable, as to the form of such ballots and the rotation of names thereon. Not later than ten (10) days prior to the time of holding such election, the county auditor shall mail to the president of the board of directors of each school corporation, by registered mail, a sufficient number of such ballots for the purpose of conducting said election, together with tally sheets of sufficient size to contain the names of all the qualified voters of such school corporation, which tally sheet shall, so far as practicable, correspond in form with the poll books provided by law for use at general elections. Except as herein provided, said elections shall be conducted in the same manner, so far as possible, as is provided by law for conducting elections at such annual school meetings in all school corporations.

(d) When the polls shall be closed, the judges of said election shall forthwith proceed to canvass the vote and ascertain the result thereof, and shall certify the number of votes cast for each candidate, and shall enclose in a sealed package all ballots legally cast at such election, and within two days thereafter shall deliver such ballots, together with all unused and spoiled ballots in a separate package, to the county auditor of such county and shall also at the same time deliver to said county auditor the certified tally sheets of said election and the certificate of the number of votes cast for each candidate, such delivery to be made by the president of the board of directors of each school corporation, either in person or by registered mail.

(e) The board of supervisors of such county, at their regular April meeting following such election, shall canvass the returns in the manner provided for the canvass of the returns of general elections, and shall issue a certificate of election to the person receiving the greatest number of votes cast for said office at said election who shall possess the requisite legal qualifications for such office.

(f) The terms of all county superintendents of schools now in office shall expire on the first day of August, 1924, and the persons first elected under the provisions of this act shall take office on said date and hold said office for the term of two years, as herein provided, or until their successors are duly elected and qualified.

Sec. 2. On the first Monday of April, 1924, and each third year hereafter, a convention shall be held at the county seat for the purpose of electing a county board of education, at which convention each school township, city, town or village independent district and each independent consolidated district in the county shall be entitled to one vote. Each school corporation shall be represented at the convention by the president of the school board, or in his absence or inability to act, by some member of such school board, to be selected by the board.

It is further provided, however, that where a congressional township is composed in whole or in part of rural independent districts that such rural independent districts shall be entitled to one vote in the convention, which vote shall be cast by such person as may be selected by the presidents of the component rural independent districts within such township at a meeting to be held at such time and place as the county auditor shall fix in the written notice hereinafter provided for. All representatives to such convention shall serve until a county board of education is elected and qualified. Such conventions shall be called by the county auditor by mailing a written notice to the president and secretary of each school corporation at least ten days prior to the date of such convention and by the publication of such notice in the official newspapers published in the county. The county auditor shall be the secretary of such convention and shall call the same to order and submit a list of the school corporations entitled to participate in such conventions. Said convention shall organize by the selection of a chairman and when so organized, shall elect a county board of education, which shall consist of six persons outside the membership of such convention, who with the county superintendent ex-officio, shall constitute such county board of education. Such persons shall be citizens of the county, of good educational qualifications. The term of office of the three persons first elected in each county under the provisions of this act shall begin on the first day of May, 1924, and continue for a period of six years, or until their successors are elected and qualified, and thereafter on the first Monday in April in each third year, three members of such board shall be elected for the term of six years, or until their successors are elected and qualified. The boards of county education now existing shall continue and shall perform the duties and exercise and enjoy all powers and privileges as now provided by law, and the terms of office of the members of such present county boards of education shall continue until the first day of May, 1924, and the first day of May, 1927, respectively, according to the terms for which such present members of such boards were elected. 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 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, shall be from the same school corporation. Vacancies in said board shall 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. A 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 all county officers. The members of said board, except the county superintendent, 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 such board shall be held on the second Monday of 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 upon all matters referred to them by him 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 school under his supervision.

Sec. 3. That section two thousand seven hundred thirty-four-b one (2734-b1) of the supplement to the code of Iowa, 1913 (C. C. sec. 2480) be and the same is hereby repealed.

Sec. 4. That section one thousand seventy-two (1072) of the supplement to the code of Iowa, 1913, as amended by chapter fifty-six (56) of the acts of the Thirty-eighth General Assembly, (C. C. secs. 357 and 2478) be and the same is hereby repealed and the following enacted in lieu thereof:

"There shall be elected in each county, at the general election in nineteen hundred twenty-four, and in each even numbered year thereafter an auditor, a treasurer, a clerk of the district court, a sheriff, a recorder of deeds, a county attorney, and a coroner, who shall hold office for the term of two years, or until their successors are elected and qualified."

NOTICE

As Provided in Chapter 228, Laws of the Thirty-ninth General Assembly

Proposed bill for the legalization of the proceedings of the City of Maquoketa, Jackson County, Iowa, leading up to and including the special election held in said city on the 26th day of April, 1922, at which election there was submitted to the voters of said city the proposition of constructing and erecting extensions to the Municipal Electric Light and Power System, by extending the distribution system and installing additional power station equipment, and legalizing the issuance of \$70,000 in bonds authorized at said election.

A BILL FOR

AN Act to legalize a special election held in the city of Maquoketa, Jackson county, Iowa, on the 26th day of April, 1922, whereat there was submitted to the voters of said city the proposition of constructing and erecting extensions to the municipal electric light and power system by extending the distribution system and installing additional power station equipment, and the proposition of issuing bonds of said city in the sum of \$70,000 to procure the necessary funds to defray the cost of constructing and erecting said extensions to the municipal electric light and power system within said city.

Whereas, In the month of March, 1922, a majority of the qualified voters of the city of Maquoketa, Jackson county, Iowa, filed with the city clerk of said city a petition signed by a majority of the qualified voters of said city asking the city council of said city to call an election and submit to the voters at such election the following propositions:

1. Shall the city of Maquoketa, Iowa, construct and erect extensions to the municipal electric light and power system by extending the distribution system and installing additional power station equipment?

2. For the issuance of bonds in the sum of \$70,000 for electric light and power system extension purposes.

3. Against the issuance of bonds in the sum of \$70,000 for electric light and power system extension purposes; and

Whereas, Said propositions were duly submitted to the voters at a special election held in the city of Maquoketa, Iowa, on the 26th day of April, 1922, and the majority of the voters voting at said election did vote in favor of said proposition; and

Whereas, Doubts have arisen as to the validity of the proceedings; and
Whereas, The city council and citizens of said city desire to proceed in pursuance of said election to extend and improve the electric light and

power plant and to issue the bonds as authorized by the voters at said election; now.

Therefore, Be it enacted by the General Assembly of the State of Iowa:

Section 1. That the special election held on the 26th day of April, 1922, providing for the construction and erection of extensions to the municipal electric light and power system by extending the distribution system and installing additional power station equipment and the issuance of \$70,000 of bonds to secure funds with which to pay for said improvements and extensions and all the matters and things done in the calling and holding of said election and in the submission to the voters of the aforesaid propositions for the extension and improvement of the municipal electric light and power plant in the city of Maquoketa, Iowa, and the issuance of bonds therefor, or in any way connected therewith, be and the same is hereby declared to be legal and valid the same as though the law had in every respect been fully complied with, and the said city of Maquoketa is hereby authorized and empowered to issue bonds in the sum of \$70,000 for the purpose of constructing and erecting extensions to the municipal electric light and power system of said city of Maquoketa, Iowa, by extending the distribution system and installing additional power station equipment without again submitting the question of the issuing of the said bonds to a vote of the people. Provided, however, nothing herein shall be held to affect pending litigation.

Section 2. This act, being deemed of immediate importance, shall take effect from the date of its publication in the Des Moines Register, a newspaper published in Des Moines, Iowa, and the Maquoketa Excelsior, a newspaper published in Maquoketa, Iowa, without expense to the state. State of Iowa, Jackson County, ss:

I, A. C. McKinsey, duly sworn, say that I am the publisher of The Maquoketa Excelsior, and that the notice hereunto attached was published in The Maquoketa Excelsior, a semi-weekly newspaper published in the city of Maquoketa, in said county, once each week for 1 week, February 13, 1923.

A. C. MCKINSEY,

Publisher of The Maquoketa Excelsior.

Subscribed and sworn to before me this 13th day of February, 1923.

Frank T. Johnson,

Notary Public.

PROPOSED BILL

For the Legalization of Warrants Issued by the Board of Supervisors of Pocahontas County, Iowa.

Senate File No. 383

By Gilchrist

A BILL FOR

AN Act to legalize certain warrants issued by the Board of Supervisors of Pocahontas County, Iowa.

Whereas, The county of Pocahontas, Iowa, by its board of supervisors, did heretofore authorize and incur indebtedness in the sum of Seventy-four Thousand Two Hundred Twenty-four Dollars (\$74,224.00), and prior to January 1, 1923, did issue warrants to the extent of said amount in evidence of such indebtedness, and

Whereas, Said indebtedness was incurred for proper corporate purposes and the county of Pocahontas and its citizens are now enjoying the use and benefit thereof, and the things for which said expenditures were made were and now are well worth the sum which the county so paid, and the indebtedness of said county at the time said warrants were issued did not, and it does not now, and it never has, exceeded the constitutional limitations, and

Whereas, Doubts have arisen concerning the legality or validity of the aforesaid warrants, or of a portion thereof, on the ground that the indebtedness which said warrants evidence, or a portion thereof, was contracted in excess of the statutory limitations, and

Whereas, It is deemed advisable to put said doubts, as well as any and all other doubts which have arisen or may hereafter arise concerning the legality or validity of the aforesaid warrants, forever at rest;

Now, Therefore, Be it enacted by the General Assembly of the State of Iowa:

Section 1. That the acts of the Board of Supervisors of the county of Pocahontas in making expenditures for said county, in issuing warrants therefor in the sum of Seventy-four Thousand Two Hundred Twenty-four Dollars (\$74,224.00) as aforesaid, be, and the same are hereby legalized and validated.

Section 2. That the aforesaid warrants of the said county of Pocahontas in the state of Iowa in the aggregate of Seventy-four Thousand Two Hundred Twenty-four Dollars (\$74,224.00) be, and the same hereby are, legalized and declared to be valid, legal and subsisting obligations of said county.

Section 3. That the Board of Supervisors of said county of Pocahontas in the state of Iowa are authorized to fund the debt evidenced by said warrants, or so much thereof as remains unpaid, and to issue and sell the negotiable bonds of said county for the purpose of funding the aforesaid

warrants in the manner and form provided by law, and when the same are so issued and sold they shall be the valid, legal and subsisting obligations of said county of Pocahontas, and thereafter said county and the Board of Supervisors thereof shall be and are hereby authorized to levy taxes for the payment of the principal of and interest upon said funding bonds, in accordance with the provisions of the laws of Iowa.

Section 4. Nothing in this act shall affect pending litigation.

Section 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, a newspaper published in the city of Des Moines, Iowa, and in the Pocahontas Record, a newspaper published in the town of Pocahontas, Iowa, all without expense to the state.

AFFIDAVIT OF PUBLICATION

State of Iowa, Pocahontas County, ss:

I, J. R. Martin, Editor, Publisher, Foreman, of the Pocahontas Democrat, being first duly sworn, do depose and certify that The Pocahontas Democrat is a weekly newspaper of general circulation, printed and published in the English language, in the county of Pocahontas and state of Iowa, and at the town of Pocahontas in said county.

That the annexed printed Proposed Bill notice was printed and published in the said Pocahontas Democrat once each week for 1 week in the regular issues of said paper; and the last publication in which said Proposed Bill notice was published was on the 15th day of February, 1923, and that copies of each number and issue of said paper in which said annexed printed notice was published, were transmitted by mail to each subscriber of said paper according to the usual methods of doing business in this office.

J. R. MARTIN,
Editor, Publisher, Foreman.

Subscribed and sworn to before me by J. R. Martin, who is personally known to me to be the identical person described in the foregoing affidavit, this 15th day of February, 1923.

T. F. Lynch,
Notary Public, in and for Pocahontas County, Iowa.

The Journal of February 15th was corrected and approved.

On motion of Senator Buser the Senate adjourned until 9 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 17, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. De Witt L. Foster, pastor of the First Friends church of Des Moines, Iowa.

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

On request of Senator Campbell the roll was called to ascertain if there was a quorum present.

Those responding were:

Abben	Gilchrist	Kimberly	Scott
Bergman	Goodwin	Mantz	Shane
Bowman	Hale	Mead	Shinn
Brookins	Hartman	Newberry	Snook
Browne	Haskell	Perkins	Tuck
Buser	Holdoegel	Reed	White
Campbell	Horchem	Rees	Wichman
Fulton	Johnston	Romkey	

The roll call disclosed the presence of a quorum.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Nelson for the day, on request of Senator Browne; Senator Stoddard for the day, on request of Senator Abben; Senator Shaff for the day, on request of Senator Bergman; Senator Price for the day, on request of Senator Tuck; Senator Dutcher for the day, on request of Senator Ethell; Senator McIntosh for the day, on request of Senator Gilchrist; Senator Cessna for the day, on request of Senator Browne; Senator Baird for the day, on request of Senator Horchem.

PETITIONS AND MEMORIALS

The following petitions were offered and referred to the designated committees:

By Senator Rees from the Tabor Teachers' club of Tabor, endorsing the teachers' annuity bill. Schools.

By Senator Rees from the board of education of Tabor, endorsing the teachers' annuity bill. Schools.

By Senator Rees from Hubert Woodward Post No. 156, American Legion, Hamburg, Iowa, protesting the repeal of tax exemption. Military affairs.

By Senator Rees from the League of Women Voters of Marshalltown, endorsing the Sheppard-Towner bill. Appropriations.

By Senator Ethell from citizens of Exline, endorsing Senate Files 299, 313 and 327. Elections.

INTRODUCTION OF BILLS

Senate File No. 481, by Senator Romkey, a bill for an act authorizing cities of the first class by vote of the electors to place under the control of a board of directors toll bridges acquired by such cities, providing for the election of such board, the terms of office of the members, their duties and how the city council may resume control.

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

Senate File No. 482, by Senator Abben, a bill for an act to provide for the collection of a tax on cigars, tobacco and snuff, the registration of dealers and penalties for the violation thereof, and to provide for the necessary help and expenses to collect said tax and the enforcement of its provisions.

Read first and second times and referred to committee on ways and means.

Senate File No. 483, by Senator Reed, a bill for an act to repeal section sixteen hundred ninety-one (1691) (C. C. 5605) of the code of 1897, and section seventeen hundred eighty-three-e (1783-e) (C. C. 5496) supplement to the code, 1913, as amended by section four (4), chapter two hundred sixty-one (261) acts of the Thirty-ninth (39th) General Assembly, and to enact a substitute in lieu thereof, relating to insurance other than life.

Read first and second times and referred to committee on insurance.

Senate File No. 484, by Senator Browne, a bill for an act to amend section thirteen thirty-three (1333) (C. C. 4517) and thirteen thirty-three-d (1333-d) (C. C. sec. 4521) supplement to the code, 1913, relating to taxation of insurance companies.

Read first and second times and referred to committee on insurance.

Senate File No. 485, by Senator Rees, a bill for an act to amend section fourteen hundred forty-one (1441) of the code of 1897, (C. C. 4693) and to provide for the mailing of notice of the expiration of time for redemption from tax sale to mortgagees and lienholders whose addresses appear of record.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 486, by Senator Mantz, a bill for an act to require insurance companies writing the several classes of insurance authorized by sub-division c of section two (2), chapter four hundred twenty-eight (428) acts of the Thirty-seventh General Assembly of Iowa (C. C. 5627-5d) to maintain certain reserves for outstanding losses.

Read first and second times and referred to committee on insurance.

Senate File No. 487, by Senator Thurston, a bill for an act prohibiting fire, casualty and surety companies authorized to do business in the state of Iowa from permitting non-resident agents to write policies or contracts covering property or risks in the state; and also providing penalties therefor.

Read first and second times and referred to committee on insurance.

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. 438, a bill for an act to amend sections 2280 and 2281 of the compiled code, and to repeal section 2282 of the compiled code, with respect to the state board for vocational education, beg leave to report it has had the same under consideration and recommends the same do pass.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to whom was referred House File No. 106, a bill for an act to amend, revise and codify sections 2611, 2612 and 2615 of the compiled code of Iowa, relating to education, beg leave to report it has had the same under consideration and recommends the same do pass.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Senator Holdoegel, from the committee on highways, submitted the following report:

MR. PRESIDENT: Your committee on highways to whom was referred House File No. 269, a bill for an act to repeal section four (4), chapter two hundred thirty-seven (237) acts of the 38th General Assembly as amended by chapter twenty (20) acts of the 39th General Assembly and enact a substitute therefor, and to amend section six (6) of said chapter as amended by chapter twenty (20), acts of 39th General Assembly, relating to the construction, improvement and maintenance of highways, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by adding after the word "way" appearing in line nineteen (19) of paragraph two (2) of section one (1) thereof the following: "and the damages incident thereto,"

Also, amend by striking out the words "or for any other purpose" in line twenty (20) of paragraph two (2) of section one (1).

Also, amend by striking beginning after the word "fund" in line 32 of paragraph 2 of section 1 the following: ", or for the purchase of such additional right of way out of the county road building fund" and inserting a period after the said word "fund."

PERRY C. HOELDOEGEL, *Chairman.*

Ordered passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate Files Nos. 235, 243, 73, 259 and 282.

THIRD READING OF BILLS

On motion of Senator Browne, substitute for Senate File No. 67, a bill for an act to amend, revise and codify sections sixteen hundred ninety-five (1695), seventeen hundred one (1701), seventeen hundred five (1705), seventeen hundred eleven (1711) of the compiled code of Iowa, and sections sixteen hundred ninety-three (1693), sixteen hundred ninety-four (1694), sixteen hundred ninety-eight-a-2 (1698-a2) and sixteen hundred ninety-eight-a-three (1698-a3) of the supplement to said code, relating to the horticultural society, the annual state horticultural exposition, and fruit tree and forest reservations, a committee bill, was taken up and considered.

The bill was read for information.

Senator Browne moved that the rule 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.

Abben	Darting	Kimberly	Shane
Banta	Fulton	Mantz	Shinn
Bergman	Gilchrist	Mead	Slosson
Brookhart	Goodwin	Newberry	Snook
Brookins	Hartman	Perkins	Tuck
Browne	Holdoegel	Rees	White
Buser	Horchem	Romkey	Wichman
Campbell	Johnston	Scott	

Nays, none.

Absent or not voting, 19.

Adams	Chase	McIntosh	Shaff
Baird	Dutcher	Nelson	Smith
Bowman	Ethell	Olson	Stoddard
Caldwell	Hale	Price	Thurston
Cessna	Haskell	Reed	

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

On motion of Senator Gilchrist, Senate File No. 433, a bill for an act to amend section fifty-four hundred forty-eight (5448) of the supplement to the code, 1913 (C. C. sec. 9559), and section fifty-four hundred fifty-three (5453) of the code, 1897, (C. C. sec. 9564), relating to the time within which an appeal may be taken to the supreme court in criminal cases, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mantz offered the following amendment and moved its adoption:

Amend by striking the word "thirty" from the 5th line and inserting in lieu thereof the word "sixty".

Senator Mantz asked for a roll call.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 5.

Bergman	Campbell	Hartman	Mantz
Buser			

Nays, 26.

Abben	Goodwin	Newberry	Shinn
Banta	Hale	Perkins	Snook
Bowman	Holdoegel	Reed	Tuck
Browne	Horchem	Rees	White
Darting	Johnston	Romkey	Wichman
Fulton	Kimberly	Scott	
Gilchrist	Mead	Shane	

Absent or not voting, 19.

Adams	Cessna	McIntosh	Slosson
Baird	Chase	Nelson	Smith
Brookhart	Dutcher	Olson	Stoddard
Brookins	Ethell	Price	Thurston
Caldwell	Haskell	Shaff	

The amendment was lost.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Darting	Johnston	Scott
Banta	Ethell	Kimberly	Shane
Bergman	Fulton	Mantz	Shinn
Bowman	Gilchrist	Mead	Slosson
Brookhart	Goodwin	Newberry	Snook
Brookins	Hale	Perkins	Tuck
Browne	Hartman	Reed	White
Caldwell	Holdoegel	Rees	Wichman
Campbell	Horchem	Romkey	

Nays, none.

Absent or not voting, 15.

Adams	Chase	Nelson	Smith
Baird	Dutcher	Olson	Stoddard
Buser	Haskell	Price	Thurston
Cessna	McIntosh	Shaff	

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

On motion of Senator Horchem, Senate File No. 420, a bill for an act making section one thousand fifty-three (1053) of the code of 1897 applicable to cities organized under chapter 14-D of the supplement to the code, 1915, 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 word "Under" the word and character "Title V". Also by amending section 1 as follows: Insert the word and character "Title V" after the word "under" in line 3 of said section,

By unanimous consent on request of Senator Horchem the title was amended by inserting the word "supplemental" in line 3 before the word "supplement"; and the same amendment was made in line four (4) of the bill.

The bill was read for information.

Senator Horchem moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 29.

Abben	Campbell	Holdoeel	Romkey
Banta	Ethell	Horchem	Scott
Bowman	Fulton	Kimberly	Shane
Brookhart	Gilchrist	Mantz	Shinn
Brookins	Goodwin	Newberry	Slosson
Browne	Hale	Perkins	Snook
Caldwell	Hartman	Reed	White
			Wichman

Nays, none.

Absent or not voting, 21.

Adams	Chase	McIntosh	Rees
Baird	Darting	Mead	Shaff
Bergman	Dutcher	Nelson	Smith
Buser	Haskell	Olson	Stoddard
Cessna	Johnston	Price	Thurston
			Tuck

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

On motion of Senator Ethell, Senate File No. 422, a bill for an act to amend chapter eighty-five (85) acts of the Thirty-eighth G. A. (C. C. 3974) relating to powers of cities and towns with reference to water works, heating plants, gas works or electric light or electric power plants, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shane offered the following amendment and moved its adoption:

Amend by adding at the end of section one (1) the following: "Also by striking from line two (2) of section five (5) the words and figures "thirty-five thousand (35,000)" and inserting in lieu thereof the words and figures "fifty thousand".

The amendment was adopted.

By unanimous consent on request of Senator Ethell the words "of section one (1)" were inserted between the figure "(6)" and the word "the" in line three.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Abben	Ethell	Kimberly	Slosson
Banta	Fulton	Mantz	Snook
Bowman	Gilchrist	Perkins	Thurston
Brookhart	Goodwin	Reed	Tuck
Browne	Hale	Rees	White
Buser	Hartman	Romkey	Wichman
Campbell	Horchem	Shane	
Darting	Johnston	Shinn	

Nays, none.**Absent or not voting, 20.**

Adams	Cessna	McIntosh	Price
Baird	Chase	Mead	Scott
Bergman	Dutcher	Nelson	Shaff
Brookins	Haskell	Newberry	Smith
Caldwell	Holdoegel	Olson	Stoddard

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

On motion of Senator Buser, Senate File No. 319, a bill for an act to amend the law as it appears in section one (1), chapter eighty-five (85), acts of the Thirty-eighth G. A. (C. C. 4000) by extending the authority therein conferred to special charter cities of less than thirty-five thousand (35,000) 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:

Amend by striking out all after the enacting clause and substituting in lieu thereof, the following:

Section 1. That chapter fourteen (14) of title five (5) of the code be, and the same is hereby amended by adding thereto the following:

"The heating plants, gas works or electric light or electric power plants authorized to be purchased or erected by cities acting under special charters having a population of less than thirty-five thousand shall be acquired, erected, managed and operated by a board of trustees, which shall be composed of three resident electors, appointed for the term of six years by the mayor of said city. After the authorization of the purchase or erection of such works or plant by the electors of such city, in the manner provided by law, the mayor thereof shall thereafter appoint such board of trustees, the first appointees thereof to hold office for the following designated terms, namely: one for two years, one for four years, and one for six years. All vacancies occurring on said board, occasioned by expiration of terms, by death, resignation or removal, shall be filled by appointment by the mayor of such city.

"The compensation of said trustees shall be not more than three hundred dollars (\$300.00) per annum to each member of said board. Each of said trustees shall execute and furnish to the city an official bond in the sum of ten thousand dollars (\$10,000) 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. 2. The said board of trustees shall have power to contract for the purchase or erection and construction of any such works or plant, and like powers and authority to manage and control the same as are conferred upon waterworks, trustees appointed as provided in section seven hundred forty-seven-a (747-a), supplement to the code of 1913.

"Sec. 3. All acts or parts of acts inconsistent with this act are hereby repealed.

"Sec. 4. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Register and the Des Moines News, newspapers published in Des Moines, Iowa."

Also amend the title by striking out all of said title and substituting in lieu thereof the following:

A BILL FOR

An act to amend chapter fourteen (14), title five (5) of the code, relating to the powers of cities under special charters; and providing for the appointment of trustees in cities acting under special charters, having a population of less than thirty-five thousand and owning their own heating plant, gas works, or electric light or electric power plants; providing for the duties of such trustees, and fixing their compensation.

The bill was read for information.

Senator Buser moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Darting	Kimberly	Shinn
Banta	Ethell	Mead	Slosson
Bergman	Fulton	Newberry	Snook
Bowman	Gilchrist	Perkins	Thurston
Brookhart	Goodwin	Reed	Tuck
Brookins	Hale	Rees	White
Browne	Hartman	Romkey	Wichman
Buser	Horchem	Scott	
Campbell	Johnston	Shane	

Nays, none.

Absent or not voting, 16.

Adams	Chase	McIntosh	Price
Baird	Dutcher	Mantz	Shaff
Caldwell	Haskell	Nelson	Smith
Cessna	Holdoegel	Olson	Stoddard

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

On motion of Senator Haskell, Senate File No. 161, a bill for an act to amend, revise and codify sections three thousand seven hundred seven (3707) three thousand seven hundred eight (3708) of the compiled code of Iowa, relating to municipal corporations, 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 reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Ethell	Johnston	Scott
Banta	Fulton	Kimberly	Shane
Brookhart	Gilchrist	Mantz	Slosson
Brookins	Goodwin	Mead	Snook
Browne	Hale	Newberry	Thurston
Buser	Hartman	Perkins	White
Caldwell	Haskell	Reed	Wichman
Campbell	Holdoegel	Rees	
Darting	Horchem	Romkey	

Nays, none.

Absent or not voting, 16.

Adams	Cessna	Nelson	Shinn
Ealrd	Chase	Olson	Smith
Bergman	Dutcher	Price	Stoddard
Bowman	McIntosh	Shaff	Tuck

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

On motion of Senator Mantz, Senate File No. 96, a bill for an act to amend, revise and codify sections two thousand four hundred forty-one (2441) to two thousand four hundred forty-three (2443), inclusive, of the compiled code of Iowa, relating to the school for the deaf, 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 to section two (2), the following:

"The fee for non-residents shall be not less than the average expense of resident pupils and shall be paid in advance."

The bill was read for information.

Senator Browne moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Abben	Campbell	Holdoegel	Scott
Banta	Darting	Kimberly	Shane
Bowman	Ethell	Mantz	Shinn
Brookhart	Gilchrist	Mead	Slosson
Brookins	Goodwin	Newberry	Snook
Browne	Hale	Perkins	Thurston
Buser	Hartman	Reed	White
Caldwell	Haskell	Rees	Wichman

Nays, none.

Absent or not voting, 18.

Adams	Dutcher	Nelson	Smith
Baird	Fulton	Olson	Stoddard
Bergman	Horchem	Price	Tuck
Cessna	Johnston	Romkey	
Chase	McIntosh	Shaff	

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

Senator Shinn moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Mantz, Senate File No. 332, a bill for an act to amend the law as it appears in section two (2) of chapter three hundred eight (308), acts of the Thirty-seventh General Assembly (compiled code, section 2630), relating to the education of deaf children, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Banta	Campbell	Horchem	Romkey
Bergman	Darting	Johnston	Scott
Bowman	Ethell	Kimberly	Shane
Brookhart	Fulton	Mantz	Snook
Brookins	Gilchrist	Newberry	Thurston
Browne	Goodwin	Olson	Tuck
Buser	Hale	Perkins	White
Caldwell	Hartman	Reed	Wichman

Nays, none.

Absent or not voting, 18.

Abben	Dutcher	Nelson	Slosson
Adams	Haskell	Price	Smith
Baird	Holdoegel	Rees	Stoddard
Cessna	McIntosh	Shaff	
Chase	Mead	Shinn	

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

On motion of Senator Mantz, Senate File No. 94, a bill for an act to amend, revise and codify sections two thousand four hundred thirty-one (2431), two thousand four hundred thirty-three (2433), two thousand four hundred thirty-four (2434) and two thousand four hundred thirty-five (2435) of the compiled code of Iowa, relating to the Iowa State Teachers College, 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 two (2) by inserting the words "and students" after the word "pupils" in line two (2) of said section.

Amend section three (3) by inserting the words "the training school of" after the word "into" in line four (4) of said section.

Amend by adding as sub-section 1-a of section one (1) the following: "Neither any member of the board or finance committee shall be appointed to any lucrative position in any of said institutions by the board during his term of office or for one year after expiration thereof."

The bill was read for information.

Senator Mantz moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Abben	Gilchrist	Mantz	Shane
Brookhart	Goodwin	Mead	Snook
Brookins	Hale	Newberry	Thurston
Browne	Hartman	Perkins	Tuck
Buser	Holdoegel	Reed	White
Caldwell	Horchem	Rees	Wichman
Campbell	Johnston	Romkey	
Dartling	Kimberly	Scott	

Nays, none.

Absent or not voting, 20.

Adams	Cessna	Haskell	Shaff
Baird	Chase	McIntosh	Shinn
Banta	Dutcher	Nelson	Slosson
Bergman	Ethell	Olson	Smith
Bowman	Fulton	Price	Stoddard

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

Senator Tuck moved that House File No. 286 be made a special order for 10 a. m. Thursday, March 8.

Senator Newberry moved as a substitute motion that the matter be deferred until Monday, February 19th, which motion prevailed and the matter was so deferred.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports it has examined and finds correctly enrolled House Files Nos. 38, 233, 244, and 450.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

REPORTS OF COMMITTEE

Senator Reed, 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. 225, a bill for an act to amend, revise and codify sections six thousand nine hundred seventy-two (6972), six thousand nine hundred eighty (6980) and six thousand nine hundred eighty-two (6982) of the compiled code of Iowa, relating to the clerk of the district court, beg leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by inserting in section two (2), line one (1) after the word "money" the words "to the amount of five hundred dollars (\$500.00) or more"

Amend by inserting in section two (2), line four (4), following the word "notice", the words "shall be by registered mail, and"

Amend section two (2), line four (4), by striking out the words and figures "five (5)" and inserting in lieu thereof the words and figures "thirty (30)".

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 419, a bill for an act to repeal sections fifty-three hundred forty-two (5342) to fifty-three hundred forty-four (5344), inclusive, of the code (C. C. 9403, 9404, 9405) relating to change of place of trial in criminal cases, and to enact a substitute therefor, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 437, a bill for an act to amend the law as it appears in section four thousand nine hundred and thirty-eight-a (4938-a) of the law as it appears in the supplement to the code, 1913, relative to lewd, immoral and lascivious acts with children, and providing the penalty for the violation thereof, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 70, a bill for an act to amend, revise, and codify section eighteen hundred sixteen-a four (1816-a4) of the supplement to the compiled code of Iowa, relating to the lien for services of stallions and jacks, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 385, a bill for an act to amend section three thousand two hundred nineteen (3219) of the code, (C. C. sec. 6670), relating to appointment of guardians for drunkards, spendthrifts, and lunatics, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 345, a bill for an act to repeal section two hundred fifty-three (253) supplemental supplement to the code, 1915, as amended by the Thirty-seventh (37th) General Assembly chapter two hundred thirty-five, (235), and the Thirty-eighth (38th) General Assembly chapter seventy (70) (C. C. 6938) and to enact a substitute therefor relating to the salary and expenses of the judges of the district court, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

CARL W. REED, *Chairman*.

The report 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. 61, a bill for an act to amend, revise and codify chapter twenty-three (23) of title five (5) of the compiled code of Iowa, relating to gold and silver alloy.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 52, a bill for an act to amend, revise and codify sections ten hundred twenty-eight (1028) to ten hundred thirty (1030), inclusive, and sections ten hundred thirty-two (1032), ten hundred thirty-five (1035) and ten hundred thirty-six (1036) of the compiled code of Iowa, relating to houses of prostitution.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 57, a bill for an act to amend, revise and codify sections twelve hundred four (1204) to twelve hundred seven (1207), inclusive, and twelve hundred nine (1209) of the compiled code of Iowa, relating to lost property.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 16, a bill for an act to amend, revise and codify chapter fourteen (14) of title two (2) of the compiled code of Iowa, relating to the census.

Also, 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, revise, and codify sections fifty-one hundred seventy-three (5173) and fifty-one hundred seventy-six (5176) of the compiled code of Iowa, and section fifty nineteen (5019) of the supplement to said code, relating to regulation of carriers and definition of terms.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 194, a bill for an act to amend, revise and codify section fifty hundred ninety (5090) of the compiled code of Iowa, relating to liability for negligence of employees and contracts of insurance relief, benefit or indemnity between railway corporations and their employees in case of injury or death.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 98, a bill for an act to amend, revise and codify chapter sixteen (16) of title ten (10) of the compiled code of Iowa, relating to education.

Also, 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 eighteen hundred and fifty (1850), supplement to the code, 1913, (C. C. 5776) 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.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 327, a bill for an act to amend section ten hundred and three (1003) supplement to the code, 1913 (C. C. 4421) relating to tax levies in cities operating under special charter.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 359, a bill for an act conferring certain powers on peace officers, extradition agents and officers of penal institutions from other states while transporting persons in their custody within this state.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 56, a bill for an act to amend, revise and codify section eleven hundred ninety-nine (1199) of the compiled code of Iowa, relating to fences.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 379, a bill for an act to repeal section four (4), chapter one hundred nine (109) acts of the Thirty-ninth General Assembly, relating to election of officials of cities under the commission form of government.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 380, a bill for an act to amend section twenty-eight hundred twelve-d (2812-d), supplement to the code, 1913, (C. C. 2660), relating to school building bonds.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 400, a bill for an act to amend section 39, of chapter 237 of the laws of the Thirty-eighth General Assembly (C. C. 2947) authorizing the board of supervisors to use a part of the primary road fund for the purpose of improving the secondary roads of the county.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 465, a bill for an act to repeal section eleven hundred thirty-one (1131), of the code (S. C. C. section 451), relating to voting by women.

Also, 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 to require mine inspectors to post notice of conditions found in any mine where inspected in the performance of their duty, and to provide a penalty for the destruction thereof.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 195, a bill for an act to amend, revise, and codify section fifty hundred ninety-two (5092) of the compiled code of Iowa, and

sections fifty-two hundred forty-one (5241) and fifty-two hundred forty-one-a one (5241-a1) of the supplement to said code, relating to steam and interurban railway crossings at grade and the duty of employees.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 355, a bill for an act to change the name of the State Hospital and Colony for Epileptics.

Also, that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate concurrent resolution providing for adjournment of the General Assembly on Friday, February 23, to reconvene Tuesday, March 6, 1923, at 10 a. m.

Also, that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate concurrent resolution extending an invitation to Col. Owsley and Col. MacNider to address a joint session of the House and Senate Saturday, February 17th.

Also, that the House has concurred in Senate amendment to House File No. 450, a bill for an act to repeal the law as it appears in section two thousand nine hundred-a eleven (2900-a 11) of the supplement to the code, 1913, (C. C. 6472) and the enacting of a substitute therefor relating to the boundary commission, its powers and duties.

Also, that the House has concurred in Senate amendment to House Joint Resolution No. 5, a resolution proposing to amend section four (4), article (3) of the Constitution of the State of Iowa, relating to the qualifications of members of the House of Representatives, and to provide for its reference and publication.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 16, a bill for an act to amend, revise and codify chapter fourteen (14) of title two (2) of the compiled code of Iowa, relating to the census.

Read first and second time and referred to committee on ways and means.

House File No. 52, a bill for an act to amend, revise and codify sections ten hundred twenty-eight (1028) to ten hundred thirty (1030), inclusive, and sections ten hundred thirty-two (1032), ten hundred thirty-five (1035), and ten hundred thirty-six (1036) of the compiled code of Iowa, relating to houses of prostitution.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 56, a bill for an act to amend, revise and codify section eleven hundred ninety-nine (1199) of the compiled code of Iowa, relating to fences.

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

House File No. 359, a bill for an act conferring certain powers on peace officers, extradition agents and officers of penal institutions from other states while transporting persons in their custody within this state.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 195, a bill for an act to amend, revise, and codify section fifty hundred ninety-two (5092) of the compiled code of Iowa, and sections fifty-two hundred forty-one (5241) and fifty-two hundred forty-one-a one (5241-a1) of the supplement to said code, relating to steam and interurban railway crossings at grade and the duty of employees.

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

House File No. 351, a bill for an act to amend section eighteen hundred and fifty (1850), supplement to the code, 1913, (C. C. 5776) 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.

House File No. 194, a bill for an act to amend, revise and codify section fifty hundred ninety (5090) of the compiled code of Iowa, relating to liability for negligence of employees and contracts of insurance relief, benefit or indemnity between railway corporations and their employees in case of injury or death.

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

House File No. 196, a bill for an act to amend, revise, and codify sections fifty-one hundred seventy-three (5173) and fifty-one hundred seventy-six (5176) of the compiled code of Iowa, and section fifty hundred nineteen (5019) of the supplement to said code, relating to regulation of carriers and definition of terms.

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

House File No. 327, a bill for an act to amend section ten hundred and three (1003) supplement to code 1913 (C. C. 4421) relating to tax levies in cities operating under special charter.

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

House File No. 379, a bill for an act to amend chapter one hundred and nine (109) acts of the Thirty-ninth General Assembly, relating to election of officials of cities under the commission form of government.

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

House File No. 380, a bill for an act to amend section twenty-eight hundred twelve-d (2812-d), supplement to the code, 1913, (C. C. 2660) relating to school building bonds.

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

House File No. 465, a bill for an act to repeal section four (4), chapter one hundred nine (109), acts of the Thirty-ninth General Assembly, relating to election of officials of cities under the commission form of government.

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

House File No. 400, a bill for an act to amend section 39 of chapter 237 of the laws of the Thirty-eighth General Assembly (C. C. 2947) authorizing the board of supervisors to use a part of the primary road fund for the purpose of improving the secondary roads of the county.

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

House File No. 366, a bill for an act to require mine inspectors to post notice of conditions found in any mine where inspected in the performance of their duty, and to provide a penalty for the destruction thereof.

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

House File No. 61, a bill for an act to amend, revise and codify chapter twenty-three (23) of title five (5) of the compiled code of Iowa, relating to gold and silver alloy.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 57, a bill for an act to amend, revise and codify sections twelve hundred four (1204) to twelve hundred seven (1207), inclusive, and twelve hundred nine (1209) of the compiled code of Iowa, relating to lost property.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 98, a bill for an act to amend, revise and codify chapter sixteen (16) of title ten (10) of the compiled code of Iowa, relating to education.

Read first and second times and referred to committee on educational institutions.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: House Files Nos. 38, 233, 244 and 450.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which Senate File No. 94 passed the Senate on February 17, 1923.

H. J. MANTZ.

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 298 as follows:

By striking out all of said bill after the enacting clause and substituting the following in lieu thereof:

Section 1. That section one thousand eighty-seven-a four (1087-a4) supplement to the code, 1913 (C. C. sec. 366), is hereby repealed and the following is enacted in lieu thereof. The primary election herein provided for shall consist of an election by all political parties and shall be held at the usual voting places of the several precincts in each year in which there is a presidential election, on the last Monday of April, and in each year when there is a general election other than presidential election years, on the first Monday of August, for the nomination of candidates for such offices as are to be filled, in the general election in November next ensuing (except candidates for the office of judge of supreme court and district court), for senator in the congress of the United States in the next year preceding the filling of that office, for the electors of the president and vice-president of the United States, and for the office of president of the United States, in the year in which the president and vice-president are to be elected.

Sec. 2. At the primary in the years when a president of the United States is to be elected, the names of the candidates for president of the United States who have qualified as hereinafter provided, shall be placed on the party ticket of the party in which the candidate has qualified, in the order in which the qualifications are filed with the secretary of state, and shall be voted on at the primary in the same manner as other candidates are voted for, and the candidate of each party receiving the highest number of votes at the primary election shall have the right to select the delegates to the national convention, providing that said selection is filed with the secretary of state prior to the time of holding the state convention as provided by law, and if such candidate fails to make the

selection before said date, then the state convention shall select the delegates to the national convention as provided by law.

Sec. 3. Only such political parties as are eligible under the law to place candidates on the primary ticket for the office of governor of state shall be entitled to place the name of candidates for president of the United States upon the primary ballot.

Sec. 4. Each candidate for president of the United States shall qualify by filing in the office of the secretary of state, at least thirty days before the primary election, an affidavit substantially in the following form:

"I,being first duly sworn on oath do say, that I reside at.....street in the city of.....in the county of.....and state of..... That I am years of age and I am eligible to the office of president of the United States. That I affiliate with the party; that I am a candidate for nomination to the office of president of the United States to be made at the primary election to be held May, 19..., and I hereby request that my name be printed on the official primary ballot as provided by law as a candidate of the party for the office of president of the United States. I further declare that if I am nominated and elected I will qualify for such office.

(Signed)

Subscribed and sworn to (or affirmed) before me by on this day of, A. D. 19....

Which said affidavit shall be sworn to before an officer with a seal qualified to take oaths.

Sec. 5. That sections one thousand eighty-seven-a nineteen (1087-a19), one thousand eighty-seven-a twenty-two (1087-a22), and one thousand eighty-seven-a twenty-four (1087-a24), supplement to the code, 1913 (C. C. secs. 380, 384 and 387), are hereby amended by striking out the word "June" wherever the same is found in any of said sections.

Sec. 6. That section one thousand eighty-seven-a ten (1087-a10) supplement to the code, 1913 (C. C. sec. 368), is amended by striking out the word "June" wherever the same appears in said section, and in lieu thereof leaving a blank in which to write the name of the month.

Sec. 7. That section one thousand eighty-seven-a twenty-five (1087-a25) supplement to the code, 1913 (C. C. sec. 388), is hereby amended by striking out the word, "fourth" in the fifth line of said section, and substituting in lieu thereof the word, "third".

J. L. BROOKHART.

The Journal of February 16th was corrected and approved.

COMMITTEE FROM THE HOUSE

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

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

JOINT SESSION

As per concurrent resolution duly adopted, the joint session was called to order, Honorable John Hammill, President of the Senate, presiding.

President Hammill announced a quorum present and the joint convention duly organized.

Garber of Adair moved that a committee of five be appointed, two from the Senate and three from the House, to notify Colonel Alvin M. Owsley and Colonel Hanford MacNider that the joint session was now ready to receive them.

Motion prevailed, and the President appointed as such committee, Senators Thurston of Clarke and Campbell of Ida on the part of the Senate, and Representatives Garber of Adair, Robson of Greene and Doolittle of Delaware on the part of the House.

The committee announced the arrival of Colonel Alvin M. Owsley, National Commander, Colonel Hanford MacNider, Past Commander, and Major Robbins, State Commander of the American Legion, and escorted them to the Speaker's station.

President Hammill then introduced the guests as follows:

Members of the joint assembly and fellow citizens: We have with us this morning three distinguished citizens, men whom not only Iowa, but the entire nation, is proud to honor. They are three men who represent all that is best in American citizenship, and are three real genuine patriots. The first is our own Iowa citizen, Col. Hanford MacNider, past national commander of the American Legion. Another distinguished Iowan, and I am sure we are all proud of him, is the state commander of Iowa, Major C. B. Robbins. I shall ask Major Robbins to introduce the main speaker of the convention.

Major Robbins then introduced to the joint convention, Col. Alvin M. Owsley, National Commander of the American Legion, who spoke in part as follows:

REMARKS OF COL. ALVIN M. OWSLEY

Members of the Fortieth General Assembly of Iowa and friends: This is a privilege that I very much appreciate. It is an honor I shall record and remember with a great deal of increasing pride as the years go by. I am not altogether a stranger when I have the pleasure of meeting with the lawmakers of a great commonwealth because, if you will not tell anybody, I will tell you that I myself at one time served a sentence in the legislature of the Lone Star state. But I find a little difference in the

personnel in this legislature, so I am informed, from what we had, because when you address the Texas legislature, all you have to do is to say, "My fellow Democrats." I am reminded of a story told by Colonel House. One of his very devoted Republican friends who was contemplating, as so many Americans do, making his home in Texas, asked Colonel House what chance a good Republican honest lawyer would have in Texas, and the Colonel modestly replied that as an honest lawyer he would have no competition, but as a Republican he would be protected under the game laws.

Please let me thank you, my fellow Americans, for this splendid and courteous greeting. I feel at home in Iowa. The same splendid enthusiastic American spirit that characterizes the people of this great northwest commonwealth comes also into my state, and we of the southwest are rejoicing that from time to time we gather into our borders some of your splendid spirit through many of your people who come to us, and we are learning also that we are exchanging some of our people into your state. You and I then as Americans can rejoice that through the spirit of common sacrifice, through a common history and an inseparable destiny, we are fast being drawn into one inseparable bond of union, marshaling under one flag and in one name, and that name is America.

I feel sometimes that it is a difficult matter for just an ordinary American to do the task that is set before me, to take up the torch that a certain distinguished American from the state of Iowa has laid down, and I want to tell you that the task which is mapped out for Alvin Owsley is one of the hardest jobs that anyone ever had to do—to follow in the footsteps of that wonderful American, Hanford MacNider of Iowa. I think it is well that to the people of his own state it should be told that all over this great union of ours there has gone forth the impression of his splendid personality, his unquestioned Americanism, and the name of Iowa, where the tall corn grows, has been placed upon the leaves of history and it stands for the American ideals of the people of the entire country.

What is this American Legion then that it should call forth from the different states of the union men who are earnestly desirous of giving at least one year of their entire time from their business and to which they have devoted the best energies of their manhood for their entire lives? Gentlemen, the thought is, to get abroad in this land as never before, that the same men you sent forth in the days of the war to hold high the standard of America are the men who have come back from that war, leaving a few behind whose memories shall be cherished as long as our nation shall endure, these men are earnestly striving to get back into their old places again, to get a start once more and to gain something anew, render a real service and make a genuine contribution to the community and the state of which they are citizens, and to the nation's splendid life as a whole.

What are some of the things the Legion is doing in America today? You lawmakers must be interested, because it is the one all-American organization in which Democrat and Republican, Protestant and Catholic,

Jew and Gentile, white and black, have decided that they will march under a banner that shall hold aloft America's defense for her institutions and her ideals.

One of the first tasks was the burying of our dead. We buried approximately forty thousand American men and some women.

Then, we have been carrying on a campaign and calling upon the people of America for the proper hospitalization and the rehabilitation of men and women disabled by reason of their service to America. We have made some kind of progress in this splendid program, but I want to tell you frankly that the one hindrance in this work is, that we have had too many men in public life who have undertaken to use the veterans' bureau and other agencies for the relief of American men, as an instrument for the handing out of patronage to their friends, just as they would hand out the office of postmaster, and the American Legion is opposed to such conduct on the part of public men of our nation.

Another thing I wish to mention is, our great program of Americanism and the raising of better American citizens. Not alone to the foreigner are we seeking to explain this American campaign, but we hope to encourage a notion of the wide campaign for better education for all the peoples and the children of this country. Do you realize that one boy out of every four called to the military service in the great war could not read or write or speak the English language? Another thing, which was equally dangerous, was that one out of every four was found physically unfit for military service for defense of the flag. That great lesson ought to be a warning to you and to me, that we shall so conduct the education of the youth of our country that within the next five years we shall be able to drive out illiteracy and have a great unified American race of people speaking a common language, and that the language of the founders of the American union. Some ten millions of people in the United States cannot write or speak the English language. I would like to suggest a law for the unification of all races; also that the English language be the only medium of instruction in every elementary and high school throughout America, and second, that the American flag should be displayed from the flagpole of every schoolhouse during the hours that school is in session. Then we have said that that language of Jefferson and Lincoln shall be the language to make America audible to the rest of the world and the flag flying from the flagstaff of our schoolhouses will be a symbol of our nation united and America made visible to the world.

All over the country the American Legion posts have been instrumental in the forming of community and recreation centers and making the life of the communities more interesting, thus making a real contribution to the splendid citizenry already established.

The other day while in Washington state they showed me some of the things that the American Legion had done, and, among others, a wonderful community center that the American Legionaire had constructed. They were the masons, the builders, the carpenters, the decorators. And they called my attention to a great swimming pool where the children, the boys under 15, could come to swim on Saturday after-

noons and they were also allowed to play in the great gymnasium. The American Legion was acting as a life-guard to the boys of the community, and it gave me the thought that these men of the Legion, whose patriotism and whose devotion to America have already been established and proved, could also be the life-guard for American institutions and ideals during our existence.

Some word of criticism has come to my attention to the effect that the service men are making raids upon the treasury of the state and the nation and we must be careful. Do not be troubled about these men. They are the same men who are interested in building this nation safe, steady, constant and true, making permanent in the minds of all the peoples of the nation that after all, this America of ours must go on rendering that great service to herself first, in order that she may render the greatest contribution to the rest of the nations on the earth.

These men in whom you placed honor in going to war are desirous of coming back and getting back into the business life of this state, and to make permanent the institutions created by your forefathers and mine. We must be reminded that our forefathers had their problems for solution, and we have ours. Ours are as much more grave than theirs as our civilization is more complex and complicated. They fought to give us civil liberty; we must fight to maintain that liberty; regain what we may have lost and win industrial and educational liberty.

These men of the Legion have but one high purpose, a great mission in this American life today, and that is, to render even greater service in times of peace than they were able to give in the days of the war. May I not say for them, they are seeking to give their fortunes and their lives to make good the great faith in which we are born, that a new glory may shine in the face of our people.

I am grateful to you and I thank you for the honor you have conferred upon me.

Doolittle of Delaware moved that this joint convention express its appreciation to the speaker of the day by a rising vote. The motion was adopted unanimously.

Hauge of Polk moved that the remarks of Colonel Owsley be printed in the Journal.

Motion prevailed.

Rankin of Lee moved that the joint convention be now dissolved. Motion prevailed.

The Senate returned to the Senate chamber.

On motion of Senator Gilchrist the Senate adjourned until 10 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 19, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Col. L. W. Ainsworth, Secretary of the Senate.

On motion of Senator Holdoegel rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Chase indefinitely, on request of Senator Holdoegel; Senator Scott for the day, on request of Senator Reed.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Stoddard from the parent-teachers association of Hunt school, Sioux City, endorsing the teachers' annuity bill. Schools.

By Senator Browne, from Argonne Post No. 60, American Legion, Des Moines, protesting the proposed repeal of the soldiers tax exemption law. Military affairs.

By Senator Stoddard from the women's auxiliary of Monahan Post No. 64 American Legion, Sioux City, relative to soldiers tax exemption. Military affairs.

By Senator Wichman from the Cerro Gordo Medical Association urging acceptance of the gift to the university hospital. Appropriations.

By Senator Rees from teachers of the Shenandoah schools endorsing the teachers' annuity bill. Schools.

By Senator Stoddard from teachers of the Danbury schools relative to the teachers' annuity bill, the minimum wage law for teachers, and election of county superintendents. Schools.

By Senator Wichman from the American Legion Women's Auxiliary of Gifford Olson Post No. 256, of Garner, protesting the proposed repeal of the soldiers tax exemption law. Military affairs.

By Senator Shane from taxpayers of Ottumwa endorsing the teachers' annuity bill. Schools.

By Senator Fulton from the Jefferson County Wool Growers Association protesting proposed changes in the law relating to the taxation, licensing, and control of dogs. Judiciary.

By Senator Adams, from the Clay county board of education urging opposition to the Berry bill, and House File 367. Schools.

INTRODUCTION OF BILLS

Senate File No. 488, by Senator Buser, a bill for an act providing for the regulation of the letting of contracts for the construction improvements at the state institutions under the direction of the state board of education.

Read first and second times and referred to committee on educational institutions.

Senate File No. 489, by Senator Stoddard, a bill for an act to amend section thirty-six eighty-eight (3688) of the code, 1897 (C. C. 7483), relating to the causes for challenge of the jurors in civil cases in which municipalities are defendants.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 490, by Senator Brookhart, a bill for an act to amend section thirteen hundred four (1304) supplemental supplement to the code, 1915, as amended by chapter one hundred ninety-one (191) of the Thirty-seventh General Assembly, and chapters one hundred fifteen (115), two hundred fourteen (214), two hundred fifty-seven (257) and three hundred seventy-seven (377) of the Thirty-eighth General Assembly (C. C. sec. 4482), relating to exemptions of homes for disabled soldiers.

Read first and second times and referred to committee on military 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 House was asked:

Senate File No. 360, a bill for an act authorizing the proper authorities of the state of Iowa, to issue a patent conveying certain real estate located in Audubon County, Iowa, to Walter F. Nelson.

Also, 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 to amend, revise, and codify sections three thousand six hundred sixty-seven (3667), three thousand six hundred eighty-five (3685), and three thousand six hundred eighty-six (3686), of the compiled code of Iowa, relating to municipal corporations.

Also, 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 amend section two hundred fifty-four-a twenty-three (254-a23), supplement to the code, 1913, (C. C. section 2103), relating to commitments to the training school for girls.

Also, 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 chapter 113, acts of the 39th General Assembly (S. C. C. sec. 1321-a3), by extending the time within which those actively engaged in the practice of podiatry will be entitled to a license without examination.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 334, a bill for an act to amend section five thousand eight (5008) chapter eleven (11) title twenty-four (24) of the code (C. C. 8888, 8889) relating to infringement of civil rights, providing for a specific penalty for violation thereof.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 304, a bill for an act to amend chapter three hundred sixteen (316) of the acts of the Thirty-eighth General Assembly (C. C. secs. 3653, 3654, and 3656) relating to sanitary conditions in cities and towns and granting additional powers to cities and towns and boards of health.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 358, a bill for an act to amend section twenty-seven hundred thirteen-n-seven (2713-n7), supplemental supplement to code, 1915, (C. C. section 2165), relating to commitments to women's reformatory.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 334, a bill for an act to amend section five thousand eight (5008) chapter eleven (11) title twenty-four (24)

of the code (C. C. 8888, 8889) relating to infringement of civil rights, providing for a specific penalty for violation thereof.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 344, a bill for an act to amend chapter 113, acts of the Thirty-ninth General Assembly (S. C. C. sec. 1321-a3), by extending the time within which those actively engaged in the practice of podiatry will be entitled to a license without examination.

Read first and second times and referred to committee on public health.

House File No. 375, a bill for an act to amend section two hundred fifty-four-a-twenty-three (254-a23), supplement to the code, 1913, (C. C. section 2103), relating to commitments to the training school for girls.

Read first and second times and referred to committee on charitable, penal and correctional institutions.

Senator Mantz moved that House File No. 286 be made a special order for tomorrow at 10 a. m.

Senator Tuck moved to amend by making the hour 10 a. m. March 7 and asked for a roll call.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 17

Brookhart	Darting	Johnston	Price
Browne	Ethell	Mead	Romkey
Buser	Fulton	Nelson	Shinn
Campbell	Hartman	Olson	Thurston
			Tuck

Nays, 24

Abben	Dutcher	Mantz	Shane
Baird	Gilchrist	Newberry	Slosson
Banta	Hale	Perkins	Snook
Bergman	Holdoegel	Reed	Stoddard
Bowman	Horchem	Scott	White
Brookins	Kimberly	Shaff	Wichman

Absent or not voting, 9

Adams	Chase	McIntosh	Smith
Caldwell	Goodwin	Rees	
Cessna	Haskell		

The amendment was lost.

Senator Price moved to amend by making the hour 10 a. m., March 8th and asked for a roll call.

Senator Mantz raised the point of order that the matter was not debatable. Sustained.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 20

Brookhart	Ethell	Mead	Shinn
Browne	Fulton	Nelson	Smith
Buser	Hartman	Price	Snook
Campbell	Johnston	Rees	Thurston
Darting	Kimberly	Romkey	Tuck

Nays, 24

Abben	Dutcher	Mantz	Shaff
Baird	Gilchrist	Newberry	Shane
Banta	Hale	Olson	Slosson
Bergman	Haskell	Perkins	Stoddard
Bowman	Holdoegel	Reed	White
Brookins	Horcher	Scott	Wichman

Absent or not voting, 6

Adams	Cessna	Goodwin	McIntosh
Caldwell	Chase		

The amendment was lost.

Senator Price moved to lay the motion on the table and asked for a roll call.

Senator Tuck invoked rule 8.

On the question "Shall the motion be laid on the table?" the vote was:

Ayes, 19

Brookhart	Darting	Kimberly	Shinn
Browne	Ethell	Nelson	Smith
Buser	Fulton	Price	Thurston
Campbell	Hartman	Rees	Tuck
Cessna	Johnston	Romkey	

Nays, 26

Abben	Gilchrist	Newberry	Shane
Baird	Hale	Olson	Slosson
Banta	Haskell	Perkins	Snook
Bergman	Holdoegel	Reed	Stoddard
Bowman	Horcher	Scott	White
Brookins	Mantz	Shaff	Wichman
Dutcher	Mead		

Absent or not voting, 5.

Adams	Chase	Goodwin	McIntosh
Caldwell			

The motion was lost.

Senator Mantz's motion prevailed and House File 286 was made a special order for tomorrow at 10 a. m.

On motion of Senator Cessna Senate File No. 339 was ordered rereferred to the committee on banks and banking.

Senator Price moved that any call of the Senate should not include Senator Chase. Senator Stoddard suggested that the same apply to Senator Adams. The President held the motion out of order.

THIRD READING OF BILLS

On motion of Senator Price Senate File No. 435, a bill for an act to amend section forty-seven fifty-eight (4758) of the code of 1897 relating to ravishment of imbecile females, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered :

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section four thousand seven hundred fifty-eight (4758) of the code of 1897, be amended by striking out the word "punished" in line seven (7) and inserting in lieu thereof the following: "by imprisonment for life or any term of years."

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its passage and its publication in the Des Moines Register and the Des Moines Capital, newspapers published at Des Moines, Iowa.

Senator Price offered the following amendment to the committee amendment and moved its adoption :

Amend by striking out all after the word "punished" in line six of said section and inserting in lieu thereof the following "by imprisonment for life or any term of years".

The amendment to the amendment was adopted.

The committee amendment was adopted.

The bill was read for information.

Senator Price moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40

Abben	Cessna	Horchem	Romkey
Baird	Darting	Johnston	Scott
Banta	Dutcher	Kimberly	Shaff
Bergman	Ethell	Nelson	Shane
Bowman	Fulton	Newberry	Slosson
Brookhart	Gilchrist	Olson	Smith
Brookins	Goodwin	Perkins	Snook
Browne	Hartman	Price	Stoddard
Buser	Haskell	Reed	Thurston
Campbell	Holdoegel	Rees	Wichman

Nays, none

Absent or not voting, 10

Adams	Hale	Mead	White
Caldwell	McIntosh	Shinn	
Chase	Mantz	Tuck	

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Price offered the following amendment to the title and moved its adoption:

Amend by striking out the period at the end thereof and substituting a comma and adding the following words: "and providing the punishment therefor".

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Tuck the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call the Senate confirmed the appointment of Frank Kinsley, L. C. Reese and E. C. Sayre as members of the commission of animal health for a term of four years beginning July 1st, 1923.

The Senate arose from executive session.

THIRD READING OF BILLS

On motion of Senator Bergman, Senate File No. 419, a bill for an act to repeal sections fifty-three hundred forty-two (5342) to fifty-three hundred forty-four (5344), inclusive, of the code (C. C. 9403, 9404, 9405), relating to change of place of trial in criminal cases, and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Bergman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 44

Abben	Darting	Kimberly	Shaff
Baird	Dutcher	Mantz	Shane
Banta	Ethell	Mead	Shinn
Bergman	Fulton	Nelson	Slosson
Brookhart	Gilchrist	Newberry	Smith
Brookins	Hale	Olson	Snook
Browne	Hartman	Perkins	Stoddard
Buser	Haskell	Price	Thurston
Caldwell	Holdoegel	Reed	Tuck
Campbell	Horchem	Rees	White
Cessna	Johnston	Romkey	Wichman

Nays, none

Absent or not voting, 6

Adams	Chase	McIntosh	Scott
Bowman	Goodwin		

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

On motion of Senator Wichman, Senate File No. 385, a bill for an act to amend section three thousand two hundred nineteen (3219) of the code, (C. C. sec. 6670), relating to appointment of guardians for drunkards, spendthrifts, and lunatics, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 40

Abben	Campbell	Horchem	Romkey
Baird	Cessna	Johnston	Shaff
Banta	Darting	Kimberly	Shane
Bergman	Dutcher	Mantz	Shinn
Bowman	Ethell	Nelson	Snook
Brookhart	Fulton	Newberry	Stoddard
Brookins	Gilchrist	Olson	Thurston
Browne	Hale	Perkins	Tuck
Buser	Hartman	Reed	White
Caldwell	Holdoegel	Rees	Wichman

Nays, none

Absent or not voting, 10

Adams	Haskell	Price	Smith
Chase	McIntosh	Scott	
Goodwin	Mead	Slosson	

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Wichman offered the following amendment to the title and moved its adoption:

Amend the title by inserting after the word "lunatic" the following words: "or other persons".

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Gilchrist Senate File No. 437, a bill for an act to amend the law as it appears in section four thousand nine hundred and thirty-eight-a (4938-a) of the law as it appears in the supplement to the code, 1913, relative to lewd, immoral and lascivious acts with children, and providing the penalty for the violation thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by inserting after the figures "1913" where it appears, the letters and figures "(C. C. 8803)".

The amendment was adopted.

The bill was read for information.

Senator Gilchrist moved that further action on Senate File 437 be deferred and it retain its place on the calendar.

Senator Price moved as a substitute motion that it be rereferred to the committee on judiciary No. 1.

The amendment was adopted.

The motion prevailed and the bill rereferred.

On motion of Senator Gilchrist Senate File No. 438, a bill for an act to amend sections 2280 and 2281 of the compiled code, and to repeal section 2282 of the compiled code, with respect to the state board for vocational education, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Price raised the point of order that the discussion was not germane to the subject matter. Sustained.

The bill was read for information.

Senator Gilchrist woved that the reading just had be considered the third reading, which motion prevailed.

Senator Gilchrist invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 28

Abben	Campbell	Horchem	Shaff
Baird	Darting	Johnston	Slosson
Banta	Dutcher	Kimberly	Smith
Bergman	Gilchrist	Newberry	Snook
Bowman	Hale	Olson	Stoddard
Brookhart	Haskell	Perkins	White
Caldwell	Holdoegel	Reed	Wichman

Nays, 17

Brookins	Ethell	Mead	Romkey
Browne	Fulton	Nelson	Shane
Buser	Goodwin	Price	Shinn
Cessna	Hartman	Rees	Thurston
			Tuck

Absent or not voting, 5

Adams	McIntosh	Mantz	Scott
Chase			

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

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully

reports that it has examined and finds correctly enrolled Senate File No. 355 and House Files Nos. 132, 146, and 152.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

THIRD READING OF BILLS

On motion of Senator Reed Senate File No. 225, a bill for an act to amend, revise and codify sections six thousand nine hundred seventy-two (6972), six thousand nine hundred eighty (6980) and six thousand nine hundred eighty-two (6982) of the compiled code of Iowa, relating to the clerk of the district court, 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 section two (2), line one (1) after the word "money" the words "to the amount of five hundred dollars (\$500.00) or more"

Amend by inserting in section two (2), line four (4), following the word "notice", the words "shall be by registered mail, and"

Amend section two (2), line four (4), by striking out the words and figures "five (5)" and inserting in lieu thereof the words and figures "thirty (30)".

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by inserting in line 1 of section 2 immediately following the comma the following words: "and remains in the hands of the clerk for a period of more than one month"

The amendment was adopted.

The bill was read for information.

Senator Dutcher offered the following amendment and moved its adoption:

Amend by striking out the words "remains in the hands of the clerk for a period of more than one month" and inserting in lieu thereof the words "not dispersed within thirty days" and by striking the words "five days" from line 4 of section 1 of the bill and inserting in lieu thereof the words "forty days".

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking from line 1 of sub section 28 of section 4 the words

and figures "one dollar (\$1.00)" and inserting in lieu thereof the words and figures "three dollars (\$3.00)";

Senator Ethell asked for a roll call.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 13

Abben	Buser	Nelson	Snook
Baird	Darting	Newberry	
Brookhart	Dutcher	Olson	
Browne	Johnston	Reed	

Nays, 28

Banta	Ethell	Kimberly	Slosson
Bergman	Fulton	Mantz	Smith
Bowman	Gilchrist	Perkins	Stoddard
Brookins	Goodwin	Price	Thurston
Caldwell	Hale	Romkey	Tuck
Campbell	Haskell	Shane	White
Cessna	Horchem	Shinn	Wichman

Absent or not voting, 9

Adams	Holdoegel	Rees	Shaff
Chase	McIntosh	Scott	
Hartman	Mead		

The amendment was lost.

Senator Reed moved that the reading just had be considered its third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35

Abben	Darting	Kimberly	Slosson
Baird	Fulton	Mantz	Smith
Banta	Goodwin	Mead	Snook
Bergman	Hale	Nelson	Stoddard
Brookhart	Hartman	Newberry	Thurston
Brookins	Haskell	Olson	Tuck
Buser	Holdoegel	Perkins	White
Caldwell	Horchem	Reed	Wichman
Campbell	Johnston	Shane	

Nays, none

Absent or not voting, 15

Adams	Chase	McIntosh	Scott
Bowman	Dutcher	Price	Shaff
Browne	Ethell	Rees	Shinn
Cessna	Gilchrist	Romkey	

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

On motion of Senator Reed, House File No. 70, a bill for an act to amend, revise, and codify section eighteen hundred sixteen-

a four (1816-a4) of the supplement to the compiled code of Iowa, relating to the lien for services of stallions and jacks, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Tuck moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37

Abben	Darting	Horchem	Romkey
Baird	Dutcher	Johnston	Shane
Banta	Ethell	Kimberly	Slosson
Bergman	Fulton	Mantz	Smith
Brookhart	Goodwin	Mead	Snook
Brookins	Hale	Nelson	Stoddard
Buser	Hartman	Newberry	Thurston
Caldwell	Haskell	Olson	Tuck
Campbell	Holdoegel	Perkins	White
			Wichman

Nays, none

Absent or not voting, 13

Adams	Chase	Reed	Shinn
Bowman	Gilchrist	Rees	
Browne	McIntosh	Scott	
Cessna	Price	Shaff	

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

On motion of Senator Newberry, House File No. 106, a bill for an act to amend, revise and codify sections 2611, 2612 and 2615 of the compiled code of Iowa, relating to education, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ethell offered the following amendment and moved its adoption:

Amend by striking out of line 2 section 3 the words "first class" and inserting in lieu thereof the words "second class".

Senator Ethell asked for a roll call.

Senator Smith invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 22

Baird	Darting	Olson	Slosson
Brookhart	Ethell	Price	Snook
Browne	Fulton	Rees	Thurston
Buser	Hartman	Romkey	Tuck
Campbell	Johnston	Shane	
Cessna	Nelson	Shinn	

Nays, 22

Abben	Dutcher	Kimberly	Smith
Banta	Goodwin	Mantz	Stoddard
Bergman	Hale	Mead	White
Bowman	Haskell	Newberry	Wichman
Brookins	Holdoegel	Perkins	
Caldwell	Horchem	Reed	

Absent or not voting, 6

Adams	Gilchrist	Scott	Shaff
Chase	McIntosh		

The amendment was lost.

President Pro Tem Price took the chair at 2:36.

On request of Senator Browne the roll was called to ascertain if there was a quorum present.

The roll call disclosed the presence of a quorum.

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, 38

Abben	Campbell	Holdoegel	Shane
Baird	Darting	Horchem	Slosson
Banta	Dutcher	Johnston	Smith
Bergman	Ethell	Kimberly	Snook
Bowman	Fulton	Mantz	Stoddard
Brookhart	Gilchrist	Mead	Tuck
Brookins	Goodwin	Newberry	White
Browne	Hale	Olson	Wichman
Buser	Hartman	Perkins	
Caldwell	Haskell	Reed	

Nays, 2

Nelson	Price
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Absent or not voting, 10

Adams	McIntosh	Scott	Thurston
Cessna	Rees	Shaff	
Chase	Romkey	Shinn	

The bill having received a constitutional majority was declared to have been passed by the Senate and the title was agreed to.

Senator Smith moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Stoddard moved that a committee be appointed to escort ex-Senator Edwards of Story county to the desk. Carried.

President Pro Tem Price appointed as such committee Senator Stoddard.

Senator Edwards addressed the Senate briefly.

The Journal of February 17th was corrected and approved.

On motion of Senator Hale the Senate adjourned until 9 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 20, 1923.

The Senate met in regular session, President Pro Tem John R. Price presiding.

Prayer was offered by Rev. Chas. G. Fort, of the M. E. church of Shell Rock, Iowa.

On motion of Senator White rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Brookhart from the board of education of the Riverside public schools endorsing the teachers' annuity bill. Schools.

By Senator Ethell from citizens of Mystic relative to the Gallagher public welfare bill, and standardization of films. Schools.

By Senator Abben from the N. B. Baker Post No. 88, G. A. R., Clinton, Iowa, protesting House File No. 341. Military affairs.

By Senator Abben from the Women's Relief Corps No 10 of Clinton, protesting House File No. 341. Military affairs.

The roll was called to ascertain if there was a quorum present.

The roll call revealed the presence of a quorum.

Senator Ethell moved that a committee be appointed to escort Senator Snook to the desk, it being his seventy-fifth birthday anniversary.

President Pro Tem Price appointed Senator Ethell as such committee.

Senator Snook addressed the Senate briefly.

INTRODUCTION OF BILLS

Senate File No. 491, by Senator Buser, a bill for an act to amend section ten (10) of chapter two hundred seventy-five (275), acts of

the Thirty-eighth General Assembly (C. C. sec. 3053) by providing for a refund of license fee upon such cars as are destroyed or stolen and not recovered during the year for which registration was paid.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 492, by Senator Holdoegel a bill for an act to repeal section seven hundred twenty-nine (729), of the supplement to the code, 1913, (C. C. sec. 3751), relating to powers of library trustees.

Read first and second times and referred to committee on public libraries.

Senate File No. 493, by Senator Holdoegel a bill for an act to repeal section seven hundred thirty-two (732), supplement to the code, 1913, (C. C. sec. 3758), relating to library tax, additional support of libraries and transfer from building to maintenance fund.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 494, by Senator Shinn, 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 times and referred to committee on judiciary No. 2.

Senate File No. 495, by Senator Snook, a bill for an act making counties responsible for the maintenance of certain bridges and fixing liabilities for failure to maintain such bridges in a safe condition for travel and providing for the payment of any damages occurring from certain funds.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 496, by Senator Abben, a bill for an act to amend section two (2) chapter three hundred thirty-five (335) of the acts of the Thirty-eighth (38th) General Assembly, compiled code five thousand seven hundred fifty-four (C. C. 5754), relating to the fees for examining banks.

Read first and second times and referred to committee on banks and banking.

Senate File No. 497, by Senator Tuck, a bill for an act to repeal section seven hundred twenty-seven (727), supplement to the code

1913, (C. C. sec. 3749), relating to public libraries and to the conditions of and enforcement of bequests therefor. •

Read first and second times and referred to committee on libraries.

Senate File No. 498, by Senator Bowman, a bill for an act to encourage draft horse industry in the state of Iowa, and to aid in providing instruction in practical and scientific methods, and making an appropriation therefor.

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

Senate File No. 499, by Senator Rees, a bill for an act to amend section six hundred ninety-seven (697) of the code (C. C. 3596), relating to the power of cities and towns over cemeteries.

Read first and second times 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. 431, a bill for an act to amend section one thousand nine hundred eighty-nine-a two (1989-a2) of the supplement to the code, 1913, as amended by chapter three hundred forty-four (344) acts of the Thirty-seventh General Assembly and chapter one hundred forty-one (141) acts of the Thirty-eighth General Assembly, and chapter two hundred six (206) acts of the Thirty-ninth General Assembly (C. C. 4837) relating to proceedings to establish levees, ditches and drainage districts.

Also, that the House has concurred in Senate amendments to House File 311, a bill for an act to amend section three hundred thirty-three (333) of the supplement to the code, 1913, (C. C. section 6990) relating to exemption from jury service.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 433, a bill for an act to amend section fifty-four hundred forty-eight (5448) of the supplement to the code, 1913 (C. C. sec. 9559), and section fifty-four hundred fifty-three (5453) of the code, 1897, (C. C. sec. 9564), relating to the time within which an appeal may be taken to the supreme court in criminal cases.

Also, 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 repeal section thirty-five (35) of chapter two hundred thirty-seven (237) acts of the Thirty-eighth General Assembly (C. C. 2943) as amended by chapters fifty-six (56) and one hundred four (104) acts of the Thirty-ninth General Assembly relating to the primary road system and to enact a substitute therefor.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 412, a bill for an act to amend chapter two hundred sixteen (216), section one (1), acts of the Thirty-eighth General Assembly (S. C. C. 6837) relating to fees of justices of the peace and constables.

A. C. GUSTAFSON, *Chief Clerk.*

On motion of Senator Stoddard Senate File No. 489 was withdrawn from further consideration.

REPORTS OF COMMITTEES

Senator Reed, 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. 383, a bill for an act to legalize certain warrants issued by the board of supervisors of Pocahontas County, Iowa, beg leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking out the word "and" at the end of the second paragraph, and inserting in lieu thereof the following: "but that the same at the time issued and now exceeds the statutory limitation and".

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 333, a bill for an act to legalize \$84,000.00 school building bonds dated July 1st, 1921, of the consolidated independent school district of Nodaway, Adams County, Iowa, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman.*

Ordered passed on file.

Senator Wichman, from the committee on elections, submitted the following report:

MR. PRESIDENT: Your committee on elections to whom was referred House File No. 465, a bill for an act to repeal section eleven hundred thirty-one (1131) of the code (C. C. sec. 451) relating to voting by women, beg leave to report it has had the same under consideration and recommends the same do pass.

J. E. WICHMAN, *Chairman.*

Ordered passed on file.

Senator Kimberly, 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. 365, a bill for an act repealing section 2727-a, supplement to the code, 1913 (C. C. 1889) relating to the disbursement of funds for institutions under the state board of control, and to enact a substitute therefor, beg leave to report it has had the same under consideration and recommends the same do pass.

D. W. KIMBERLY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on board of control to whom was referred Senate File No. 366, a bill for an act to amend section 2258 of the code (C. C. 2020), sec. 2727-a-96, supplemental supplement to the code (C. C. 1980) and amendments thereto relating to salaries and perquisites of certain officials in institutions under the management of the state board of control, beg leave to report it has had the same under consideration and returns the bill without recommendation.

D. W. KIMBERLY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on board of control to whom was referred Senate File No. 354, a bill for an act making appropriations for the erection, repair and improvement of buildings, equipment, etc. of certain institutions under jurisdiction of the board of control, beg leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking from lines three (3) and four (4) of section one (1) of the printed bill the words and figures "one million, six hundred fourteen thousand and four hundred dollars (\$1,614,400)" and inserting in lieu thereof the words and figures "one million, six hundred sixty-four thousand, and four hundred dollars (\$1,664,400)".

Amend by adding after line twelve (12) of section (5) of the printed bill the item:

"For dormitory.....\$50,000.00"

Also, your committee recommends that the bill as above amended be referred to the appropriations committee for their consideration with the recommendation that as so amended the bill do pass.

D. W. KIMBERLY, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

THIRD READING OF BILLS

On motion of Senator Tuck Senate File No. 305, a bill for an act repealing sections five thousand five hundred fifteen (5515)

(C. C. sec. 9268), five thousand five hundred sixteen (5516) (C. C. sec. 9269), five thousand five hundred seventeen (5517) (C. C. sec. 9270) of the code of 1897, and section five thousand five hundred eighteen (5518) (C. C. sec. 9271) and five thousand five hundred nineteen (5519) (C. C. sec. 9272) of the supplement to the code, 1913, relating to forfeiture of bail, and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Scott 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

Abben	Darting	Kimberly	Romkey
Baird	Dutcher	Mantz	Scott
Banta	Ethell	Mead	Shane
Bergman	Fulton	Nelson	Shinn
Brookhart	Goodwin	Newberry	Slosson
Brookins	Hale	Olson	Smith
Browne	Hartman	Perkins	Snook
Buser	Holdoegel	Price	Stoddard
Campbell	Horchem	Reed	Tuck
Cessna	Johnston	Rees	White
			Wichman

Nays, none

Absent or not voting, 9

Adams	Chase	McIntosh	Thurston
Bowman	Gilchrist	Shaff	
Caldwell	Haskell		

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

On motion of Senator Mantz Senate File No. 93, a bill for an act to amend, revise, and codify, sections 2396, 2397, 2415 of the compiled code of Iowa relating to 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 Fulton offered the following amendment and moved its adoption:

Amend by striking out section 2 and substituting therefor the following: "Section 2. The college shall be open to pupils from the state over sixteen (16) years of age, who have been residents of this state six (6) months previous to their admission. Tuition in the college and laboratory and other fees shall be fixed by the state board of education, but tuition shall be not less than is charged in the agricultural state college of any state adjoining Iowa which charges tuition. In meritorious cases provision may be made for future payment of such tuition evidenced by noninterest bearing obligations."

The amendment was adopted.

Senator Mantz moved that the vote by which this amendment was adopted by the Senate be reconsidered, which motion prevailed.

The time having arrived for the consideration of special order No. 4 further action on Senate File No. 93 was deferred.

On motion of Senator Brookhart, Senate File No. 416, a bill for an act to amend section fifteen hundred twenty-seven-s3 (1527-s3) supplemental supplement to the code, 1915, (C. C. sec. 2872) relating to the qualification, employment, salary and discharge of county engineers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Brookhart moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 19

Brookhart	Darting	Mead	Shinn
Browne	Ethell	Nelson	Snook
Buser	Hartman	Price	Thurston
Campbell	Johnston	Rees	Tuck
Cessna	McIntosh	Romkey	

Nays, 28

Abben	Dutcher	Horchem	Shaff
Baird	Fulton	Kimberly	Shane
Banta	Gilchrist	Mantz	Slosson
Bergman	Goodwin	Newberry	Smith
Bowman	Hale	Perkins	Stoddard
Brookins	Haskell	Reed	White
Caldwell	Holdoegel	Scott	Wichman

Absent or not voting, 3

Adams	Chase	Olson
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate and the title was agreed to.

Senator Abben moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table.

Senator McIntosh moved that the motion be divided and asked for a roll call.

Senator Holdoegel raised the point of order that the motion to reconsider should be put first.

The point of order was held to be not well taken.

On the question "Shall the motion be laid on the table?" the vote was:

Ayes, 27

Abben	Caldwell	Horchem	Shane
Baird	Dutcher	Mantz	Slosson
Banta	Gilchrist	Newberry	Smith
Bergman	Goodwin	Olson	Stoddard
Bowman	Hale	Perkins	White
Brookins	Haskell	Scott	Wichman
Browne	Holdoegel	Shaff	

Nays, 20

Brookhart	Ethell	McIntosh	Romkey
Buser	Fulton	Mead	Shinn
Campbell	Hartman	Nelson	Snook
Cessna	Johnston	Price	Thurston
Darting	Kimberly	Rees	Tuck

Absent or not voting, 3

Adams	Chase	Reed
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The motion was laid on the table.

President Hammill took the chair at 11:02.

On motion of Senator Tuck House File No. 286, a bill for an act to amend section one thousand seventy-two (1072) supplement to the code, 1913 (C. C. 357 and 2478) as amended by chapter fifty-six, acts of the Thirty-eighth General Assembly and section two thousand seven hundred thirty-four-b-one (2734-b-1) of the supplement to the code, 1913, (C. C. 2480) relating to the election of county superintendents of schools, reported out without recommendation, was taken up and considered.

Senator Smith moved that all after the enacting clause be stricken and the following inserted in lieu thereof:

Section 1. (a) That in each county in the state, a county superintendent of schools shall be elected at the annual school meeting held in each school corporation on the second Monday in March, 1924; and biennially thereafter, in the even numbered years, a county superintendent of schools shall be elected, who shall hold his office for the term of two years from the first day of August next succeeding his election, or until his successor is duly elected and qualified. Any person qualified to vote at such school meeting in any school corporation shall be a qualified elector for the county superintendent having jurisdiction over the schools of such corporation. Such elections shall be by ballot, and the judges thereof shall be the same as are provided by law for the election of school directors.

(b) Any person having the qualifications for the office of county superintendent of schools, as provided by law, shall be entitled to have his name printed on the official ballots for such election, if there shall be filed with the county auditor on his behalf, at least twenty days prior to the time of holding such election, proof of such qualifications and nomination papers in substantially the following form:

"I, the undersigned, a qualified voter of.....school district (or township).....county, state of Iowa, do hereby nominate, ofcounty, state of Iowa, as a candidate for the office of county superintendent of schools of.....county, state of Iowa, to be voted for at the election for such office on the second Monday in March, 19...."

Such nomination papers shall be signed by at least ten (10) qualified electors in not less than one-fourth of the school corporations in said county, and shall be verified in the same manner as, and conform in other respects to the law regarding nomination papers for other county offices, so far as the same shall be applicable. No person shall sign nomination papers for more than one candidate for such office.

(c) The county auditor shall cause to be prepared ballots for such election, on which shall be printed the names of all persons legally nominated for such office, and the law relating to the preparation of ballots for primary elections shall govern, so far as the same may be applicable, as to the form of such ballots and the rotation of names thereon. Not later than ten (10) days prior to the time of holding such election, the county auditor shall mail to the president of the board of directors of each school corporation, by registered mail, a sufficient number of such ballots for the purpose of conducting said election, together with tally sheets of sufficient size to contain the names of all the qualified voters of such school corporation, which tally sheet shall, so far as practicable, correspond in form with the poll books provided by law for use at general elections. Except as herein provided, said elections shall be conducted in the same manner, so far as possible, as is provided by law for conducting elections at such annual school meetings in all school corporations.

(d) When the polls shall be closed, the judges of said election shall forthwith proceed to canvass the vote and ascertain the result thereof, and shall certify the number of votes cast for each candidate, and shall enclose in a sealed package all ballots legally cast at such election, and

within two days thereafter shall deliver such ballots, together with all unused and spoiled ballots in a separate package, to the county auditor of such county the certified tally sheets of said election and the certificate of the number of votes cast for each candidate, such delivery to be made by the president of the board of directors of each school corporation, either in person or by registered mail.

(e) The board of supervisors of such county, at their regular April meeting following such election, shall canvass the returns in the manner provided for the canvass of the returns of general elections, and shall issue a certificate of election to the person receiving the greatest number of votes cast for said office at said election who shall possess the requisite legal qualifications for such office.

(f) The terms of all county superintendents of schools now in office shall expire on the first day of August, 1924, and the persons first elected under the provisions of this act shall take office on said date and hold said office for the term of two years, as herein provided, or until their successors are duly elected and qualified.

Sec. 2. On the first Monday of April, 1924, and each third year thereafter, a convention shall be held at the county seat for the purpose of electing a county board of education, at which convention each school township, city, town or village independent district and each independent consolidated district in the county shall be entitled to one vote. Each school corporation shall be represented at the convention by the president of the school board, or in his absence or inability to act, by some member of such school board, to be selected by the board. It is further provided, however, that where a congressional township is composed in whole or in part of rural independent districts that such rural independent districts shall be entitled to one vote in the convention, which vote shall be cast by such person as may be selected by the presidents of the component rural independent districts within such township at a meeting to be held at such time and place as the county auditor shall fix in the written notice hereinafter provided for. All representatives to such convention shall serve until a county board of education is elected and qualified. Such conventions shall be called by the county auditor by mailing a written notice to the president and secretary of each school corporation at least ten days prior to the date of such convention and by the publication of such notice in the official newspapers published in the county. The county auditor shall be the secretary of such convention and shall call the same to order and submit a list of the school corporations entitled to participate in such conventions. Said convention shall organize by the selection of a chairman and when so organized, shall elect a county board of education, which shall consist of six persons outside the membership of such convention, who with the county superintendent ex-officio, shall constitute such county board of education. Such persons shall be citizens of the county, of good educational qualifications. The term of office of the three persons first elected in each county under the provisions of this act shall begin on the first day of May, 1924, and continue for a period of six years, or until their successors are elected and qualified, and thereafter on the first Monday in April in each third year, three members of such

board shall be elected for the term of six years, or until their successors are elected and qualified. The boards of county education now existing shall continue and shall perform the duties and exercise and enjoy all powers and privileges as now provided by law, and the terms of office of the members of such present county boards of education shall continue until the first day of May, 1924, and the first day of May, 1927, respectively, according to the terms for which such present members of such boards were elected. 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 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, shall be from the same school corporation. Vacancies in said board shall 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. A 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 all county officers. The members of said board, except the county superintendent, 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 such board shall be held on the second Monday of 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 upon all matters referred to them by him 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 school under his supervisions.

Sec. 3. That section two thousand seven hundred thirty-four-b one (2734-b1) of the supplement to the code of Iowa, 1913 (C. C. sec. 2480) be and the same is hereby repealed.

Sec. 4. That section one thousand seventy-two (1072) of the supplement to the code of Iowa, 1913, as amended by chapter fifty-six (56) of the acts of the Thirty-eighth General Assembly, (C. C. secs. 357 and 2478) be and the same is hereby repealed and the following enacted in lieu thereof:

"There shall be elected in each county, at the general election in nineteen hundred twenty-four, and in each even numbered year thereafter an auditor, a treasurer, a clerk of the district court, a sheriff, a recorder of deeds, a county attorney, and a coroner, who shall hold office for the term of two years, or until their successors are elected and qualified."

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

The roll was called to ascertain if there was a quorum present.

The roll call revealed the presence of a quorum.

The Senate resumed consideration of the amendment offered by Senator Smith to House File No. 286.

CALL OF THE SENATE

The following call of the Senate was filed:

MR. PRESIDENT: We, the undersigned members of the State Senate of Iowa, request a call of the Senate when House File No. 286 is called for consideration and final disposition by the Senate.

J. D. Buser	E. W. Romkey
J. C. Tuck	Ed H. Campbell
G. S. Hartman	Chas. S. Brown
J. L. Brookhart	Jno. R. Price
H. A. Darting	Jas. F. Johnston
J. A. Nelson	A. J. Shinn
I. N. Snook	L. Thurston

On motion of Senator Price, Senators Chase and Adams were excluded from the call of the Senate.

The roll was called and showed the following senators present:

Abben	Cessna	Kimberly	Romkey
Baird	Darting	McIntosh	Scott
Banta	Dutcher	Mantz	Shaff
Bergman	Ethell	Mead	Shane
Bowman	Fulton	Nelson	Shinn
Brookhart	Goodwin	Newberry	Smith
Brookins	Hale	Olson	Snook
Browne	Hartman	Perkins	Stoddard
Buser	Haskell	Price	Thurston
Caldwell	Horchem	Reed	Tuck
Campbell	Johnston	Rees	White
			Wichman

Senators Gilchrist, Holdoegel and Slosson appeared and the call was complete.

On the question "Shall Senator Smith's amendment be adopted?" the vote was:

Ayes, 32

Abben	Dutcher	Kimberly	Scott
Bergman	Ethell	McIntosh	Shaff
Brookhart	Fulton	Mead	Shinn
Browne	Gilchrist	Nelson	Slosson
Buser	Goodwin	Olson	Smith
Campbell	Hartman	Price	Snook
Cessna	Holdoegel	Rees	Thurston
Darting	Johnston	Romkey	Tuck

Nays, 16

Baird	Caldwell	Mantz	Shane
Banta	Hale	Newberry	Stoddard
Bowman	Haskell	Perkins	White
Brookins	Horchem	Reed	Wichman

Absent or not voting, 2

Adams Chase

The amendment was adopted.

Senator Smith offered the following amendments to the amendment and moved their adoption:

I move to amend the amendment to House File 286 as follows:

By striking from the first line of sub-division A, section 1, the word "That".

Also by striking from lines four and five, sub-division A, section 1, the words, "in the even numbered years".

Also by striking from line nine, sub-division A, section 1, the word "such" and substituting therefor the article "a".

Also by striking from line thirteen, sub-division A, section 1, the words "school directors" and substituting in lieu thereof the words "other school officers".

Also by striking from line fifteen, sub-division B, section 1, the word and figures "Ten (10)" and substituting therefor the word and figure "five (5)".

Also by inserting in line two, sub-division C, section 1, following the word "names", the words "in alphabetical order".

Also by striking out the words "and the" in line 6 of sub-division C section 1, following the word "ballots" and inserting the words "except as to".

Also by striking from lines two and three of sub-division D, section 1, the words "ascertain the result thereof and shall".

Also by striking from line eleven of sub-division D, section 1, the word "President" and substituting in lieu thereof the word "Secretary".

Also by striking from line ten of section 2, the word "Congressional" and substituting in lieu thereof the word "Civil".

The amendments were adopted.

Senator Price invoked rule 34, relating to the practice of lobbying.

Senator Hale moved the previous question, which motion prevailed, and the previous question was ordered.

The bill was read for information.

Senator Tuck moved that the reading just had be considered its third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 22

Abben	Darting	Mead	Smith
Brookhart	Ethell	Nelson	Snook
Browne	Fulton	Price	Thurston
Buser	Hartman	Rees	Tuck
Campbell	Johnston	Romkey	
Cessna	McIntosh	Shinn	

Nays, 26

Baird	Gilchrist	Mantz	Shane
Banta	Goodwin	Newberry	Slosson
Bergman	Hale	Olson	Stoddard
Bowman	Haskell	Perkins	White
Brookins	Holdoegel	Reed	Wichman
Caldwell	Horchem	Scott	
Dutcher	Kimberly	Shaff	

Absent or not voting, 2

Adams Chase

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Bowman moved that the vote by which House File No. 286 failed to pass the Senate be reconsidered and the motion to reconsider be laid on the table.

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

Ayes, 28

Abben	Dutcher	Mantz	Scott
Baird	Gilchrist	Mead	Shaff
Banta	Goodwin	Newberry	Shane
Bergman	Hale	Olson	Slosson
Bowman	Haskell	Perkins	Stoddard
Brookins	Holdoegel	Reed	White
Caldwell	Horchem	Rees	Wichman

Nays, 20

Brookhart	Darting	Kimberly	Shinn
Browne	Ethell	McIntosh	Smith
Buser	Fulton	Nelson	Snook
Campbell	Hartman	Price	Thurston
Cessna	Johnston	Romkey	Tuck

Absent or not voting, 2

Adams Chase

The motion prevailed.

By unanimous consent Senator Tuck withdrew Senate File No. 328 from further consideration.

HOUSE MESSAGES CONSIDERED

House File No. 268, a bill for an act to repeal section thirty-five (35) of chapter two hundred thirty-seven (237) acts of the Thirty-eighth General Assembly (C. C. 2943) as amended by chapters fifty-six (56) and one hundred four (104) acts of the Thirty-ninth General Assembly relating to the primary road system and to enact a substitute therefor.

Read first and second times and referred to committee on highways.

House File No. 431, a bill for an act to amend section one thousand nine hundred eighty-nine-a-2 (1989-a2) of the supplement to the code, 1913, as amended by chapter three hundred forty-four (344) acts of the Thirty-seventh General Assembly and chapter one hundred forty-one (141) acts of the Thirty-eighth General Assembly and chapter two hundred six (206) acts of the Thirty-ninth General Assembly (C. C. 4837) relating to proceedings to establish levees, ditches and drainage districts.

Read first and second times and referred to committee on drainage.

House File No. 412, a bill for an act to amend chapter two hundred sixteen (216), section one (1), acts of the Thirty-eighth General Assembly (S. C. C. 6837) relating to fees of justices of the peace and constables.

Read first and second times and referred to committee on county and township affairs.

BILLS SIGNED BY THE PRESIDENT

The president of the senate announced that, as president of the senate, he had signed in the presence of the senate Senate File No. 355 and House Files Nos. 132, 146, and 152.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report it has on this 20th day of February, 1923, sent to the governor for his approval, Senate File No. 355.

F. C. GILCHRIST, *Chairman*.

Passed on file.

Senator Fulton moved that further consideration of Senate File No. 93 be deferred until after the vacation and that a committee of three be named to investigate the matter of tuition in the agricultural colleges and teachers' colleges and report after the vacation, which motion prevailed.

President Hammill appointed as such committee Senators Fulton, Bowman and Dutcher.

Senator McIntosh's motion to take from the table the vote by which Senate File No. 264 failed to pass the Senate was taken up and considered. The motion was lost.

Senator Snook's motion to reconsider the vote by which Senate File No. 95 passed the Senate was taken up and considered. The motion was lost.

Senator Mantz's motion to reconsider the vote by which Senate File No. 94 passed the Senate was taken up and considered. The motion carried.

Senator Mantz moved that the Senate reconsider the vote by which Senate File No. 94 passed to its third reading, which motion prevailed.

Senator Mantz moved that Senate File No. 94 be rereferred to the committee on educational institutions, which motion prevailed.

HOUSE AMENDMENTS CONCURRED IN

Senator Gilchrist called up for consideration Senate File No. 433, amended by the House, and moved that the Senate concur in the following House amendments:

Amend by striking out section 3 thereof.

Amend section one (1) by striking out of Line five (5) thereof the word "thirty" and inserting in lieu thereof the word "sixty".

On the question "Shall the Senate concur in the House amendments?" the vote was:

Ayes, 39

Abben	Fulton	Mead	Shaff
Baird	Gilchrist	Nelson	Shane
Bergman	Hale	Newberry	Shinn
Brookhart	Hartman	Olson	Slosson
Browne	Haskell	Perkins	Snook
Buser	Holdoegel	Price	Stoddard
Caldwell	Johnston	Reed	Thurston
Darting	Kimberly	Rees	White
Dutcher	McIntosh	Romkey	Wichman
Ethell	Mantz	Scott	

Nays, none**Absent or not voting, 11**

Adams	Brookins	Chase	Smith
Banta	Campbell	Goodwin	Tuck
Bowman	Cessna	Horchem	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

By unanimous consent on request of Senator McIntosh Senate File No. 298 was made a special order for Thursday, March 8, at 10 a. m.

THIRD READING OF BILLS

On motion of Senator McIntosh Senate File No. 431, a bill for an act to repeal sections two thousand four hundred three (2403) (C. C. 963) and two thousand four hundred three-a (2403-a) (C. C. 964) of the supplement to the code of Iowa, 1913 relating to the sale of intoxicating liquor, a committee bill, was taken up, and considered.

The bill was read for information.

Senator McIntosh moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28

Abben	Caldwell	Johnston	Scott
Banta	Cessna	McIntosh	Shane
Bergman	Darting	Mantz	Snook
Bowman	Gilchrist	Nelson	Stoddard
Brookhart	Goodwin	Perkins	Thurston
Brookins	Hartman	Reed	White
Browne	Holdoegel	Romkey	Wichman

Nays, none

Absent or not voting, 22

Adams	Ethell	Mead	Shinn
Baird	Fulton	Newberry	Slosson
Buser	Hale	Olson	Smith
Campbell	Haskell	Price	Tuck
Chase	Horchem	Rees	
Dutcher	Kimberly	Shaff	

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

REPORTS OF COMMITTEES

Senator Smith, 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. 270, a bill for an act to amend paragraph 1 of section 1304 of the supplemental supplement to the code, 1915, as amended by chapter two hundred fifty-seven (257) of the acts of the Thirty-eighth General Assembly (C. C. sec. 4482) relating to exemption from taxation of municipal school and drainage bonds or certificates, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ED. M. SMITH, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Senator Brookhart, 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 to amend chapter four (4) of title twenty-eight (28) of the compiled code of Iowa, relating to judges and courts, and rules for conciliation of certain controversies, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by inserting a comma after the word "attachment" in the sixth line of section three thereof.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 455, a bill for an act to amend section one thousand six hundred fourteen (1614) of the code (C. C. sec. 5334), relating to the time a corporation may begin business, and to the publication of the notice, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

REPORT OF COMMITTEE ON RULES

Senator Bowman, from the committee on rules, submitted the following report:

MR. PRESIDENT: Your committee on rules beg leave to report that rule 20-d be amended as follows: that the words "March 1st" in line six (6) of rule 20-d be stricken out and the words "third legislative day in March" be inserted in lieu thereof.

Also that rule 20-a be amended as follows:

That the words "March 1st" in line five (5) of rule 20-a be stricken out and the words "third legislative day in March" be inserted in lieu thereof.

M. L. BOWMAN, *Chairman*.

Ordered passed on file.

INTRODUCTION OF BILLS

Senate File No. 500, by Senator Kimberly, a bill for an act to amend section fourteen hundred and ninety-three (1493) code of 1897, and section fourteen hundred ninety-five (1495) supplement to the code, 1913 to reduce the time for action on petition for establishment, vacation or alteration of a road.

Read first and second times and referred to committee on highways.

Senate File No. 501, by Senator Banta, a bill for an act to amend section eight (8) of chapter sixty (60) of the acts of the Thirty-ninth (39th) General Assembly (C. C. supplement, sec. 499-a14), relating to the penalty for violation of the provisions of the law relating to the counting of ballots of election.

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

Senate File No. 502, by Senator Banta, a bill for an act to provide for the holding of schools of instruction for election boards.

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

The Journal of February 19th was corrected and approved.

Senator Stoddard moved that the Senate adjourn until 9 a. m. Wednesday.

Senator Brookhart moved to amend by making the hour 9:30. The amendment was adopted.

The motion prevailed and the Senate adjourned until 9:30 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 21, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Col. L. W. Ainsworth, Secretary of the Senate.

On motion of Senator Darting rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Stoddard from the Women's Christian Temperance Union of Morningside urging acceptance of the Sheppard-Towner act. Appropriations.

By Senator Mantz from teachers of Perry and Panora relative to the teachers' annuity bill; the Berry bill and Senate File 475 relative to uniform textbooks. Schools.

By Senator Wichman from the Twentieth Century club of Mason City urging acceptance of the gift to the university hospital. Appropriations.

By Senator McIntosh from voters of Dubuque county endorsing Senate File 299, relating to primary elections. Elections.

By Senator Gilchrist from the Pocahontas County Unit of the American Legion, and Women's Auxiliary, protesting the proposed repeal of the soldiers' tax exemption law. Military affairs.

By Senator Stoddard from tax payers of Sioux City endorsing the teachers' annuity bill and an amusement tax to provide the funds. Schools.

By Senator Olson from Camp No. 458, Modern Woodmen of America, Ames, protesting the Richmond bill. Insurance.

By Senator Rees from Camp No. 8197, M. W. A., Shambaugh, protesting the Richmond bill. Insurance.

INTRODUCTION OF BILLS

Senaet File No. 503, by Senator Horchem, a bill for an act to amend section seven hundred twenty-eight (728), supplemental supplement to the code, 1915, relating to library trustees.

Read first and second times and referred to committee on public libraries.

Senate File No. 504, by Senator Reed, a bill for an act to amend the law as it appears in section one thousand nine hundred and twenty-u16 (1920-u16) of the supplement to the code, 1913, relating to the sale of stocks and bonds and other securities, providing for issuance of a permit by the secretary of state, and the cancellation thereof, for the investigation of the securities to be offered for sale and the furnishing of a bond by such broker, and providing for the forfeiture thereon and the amount of liability on said bond.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 505, by Senator Romkey a bill for an act to provide an additional revenue for the maintenance of consolidated schools and aid in the payment of the bonds issued by the district for the purpose of erecting buildings and purchasing grounds.

Read first and second times and referred to committee on ways and means.

Senate File No. 506, by Senator Bergman, a bill for an act to amend section two thousand five hundred fifty-one (2551) supplemental supplement to the code, 1915, (C. C. 1124), as amended by chapter two hundred thirty-three (233), acts of the Thirty-seventh General Assembly and chapter thirty-three (33) acts of the Thirty-ninth General Assembly, relating to the protection of ruffed grouse or pheasant.

Read first and second times and referred to committee on fish and game.

Senate File No. 507, by Senator Brookins, a bill for an act to amend section four thousand eleven (4011) of the code, 1897 (C. C. section 7730), pertaining to exemption from liability for debt.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 508, by Senator Hartman, a bill for an act authorizing the state board of conservation to establish, operate and maintain nurseries for the production of trees to be used in reforestation work in the state of Iowa, imposing a penalty for violation of this act, and providing funds for carrying out the provisions thereof.

Read first and second times and referred to committee on conservation.

Senate File No. 509, by Senator Stoddard, a bill for an act to amend the law as it appears in chapter three hundred ten (310), acts of the Thirty-ninth (39th) General Assembly, relating to the appropriation for refund of taxes paid by certain insurance companies; providing for the refund of taxes paid by certain insurance companies upon reinsurance premiums and making appropriation therefor.

Read first and second times and referred to committee on insurance.

Senate File No. 510, by Senator Mead, a bill for an act authorizing the fish and game warden to pay the bill for transporting the Iowa State Fish Car, Hawkeye No. 2 in 1913 and 1915, and legalizing his acts in respect thereto.

Read first and second times and referred to committee on claims.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate File 355.

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. 279, a bill for an act to amend title eight (8), chapter one-a (1-a), section fifteen hundred twenty-seven-s three (1527-s3), supplemental supplement to the code, 1915 (C. C. 2872), relating to the duties of the board of supervisors in the employment of a county engineer.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 279, a bill for an act to amend title eight (8), chapter one-a (1-a), section fifteen hundred twenty-seven-s three (1527-s3), supplemental supplement to the code, 1915 (C. C. 2872), relating to the duties of the board of supervisors in the employment of a county engineer.

Read first and second time and referred to committee on county and township affairs.

REPORT OF COMMITTEE ON COMMITTEE CLERKS

MR. PRESIDENT: Your committee appointed to determine the qualifications of committee clerks begs leave to report it has examined Elizabeth Durocher and found her competent, and she has been assigned to Senator Browne, dating from February 19th.

B. J. HORCHEM, *President.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 304, 159, 358, and 360.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

On motion of Senator Tuck House File No. 269 was made a special order for 10 a. m., March 8th.

On motion of Senator Reed the House was requested to return House File No. 38.

THIRD READING OF BILLS

On motion of Senator Dutcher Senate File No. 392, a bill for an act to repeal section fifty-four hundred eighty-four (5484) of the code (C. C. sec. 9464), and to enact a substitute therefor relating to witnesses in the trial of criminal cases, was taken up and considered.

Senator Buser raised the point of order that Senator Price was debating the main question during Senator Dutcher's time for closing the debate.

The point of order was sustained.

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

Senator Dutcher invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Abben	Gilchrist	Olson	Shane
Banta	Holdoegel	Perkins	Shinn
Bergman	Horchem	Price	Smith
Bowman	Johnston	Rees	Snook
Darting	Kimberly	Romkey	Stoddard
Dutcher	Mantz	Scott	Thurston
Fulton	Newberry	Shaff	Tuck
			White

Nays, 16.

Baird	Caldwell	Hartman	Nelson
Brookins	Ethell	Haskell	Reed
Browne	Goodwin	McIntosh	Slosson
Buser	Hale	Mead	Wichman

Absent or not voting, 5.

Adams	Campbell	Cessna	Chase
Brookhart			

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

Senator Dutcher moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Kimberly House File No. 465, a bill for an act to repeal section eleven hundred thirty-one (1131) of the code (C. C. sec. 451) relating to voting by women, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Abben	Ethell	Mantz	Shinn
Baird	Fulton	Newberry	Slosson
Banta	Gilchrist	Olson	Smith
Bowman	Hale	Perkins	Snook
Brookins	Hartman	Price	Stoddard
Browne	Haskell	Reed	Thurston
Buser	Holdoegel	Rees	Tuck
Caldwell	Horchem	Romkey	White
Cessna	Johnston	Scott	Wichman
Darting	Kimberly	Shaff	
Dutcher	McIntosh	Shane	

Nays, none.

Absent or not voting, 8.

Adams	Brookhart	Chase	Mead
Bergman	Campbell	Goodwin	Nelson

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

On motion of Senator Tuck House File No. 333, a bill for an act to legalize \$84,000.00 school building bonds dated July 1, 1921, of the consolidated independent school district of Nodaway, Adams County, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Tuck moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Ethell	Kimberly	Romkey
Baird	Fulton	McIntosh	Scott
Banta	Gilchrist	Mantz	Shane
Bowman	Goodwin	Mead	Snook
Brookins	Hale	Newberry	Stoddard
Browne	Hartman	Olson	Thurston
Caldwell	Holdoegel	Perkins	Tuck
Cessna	Horchem	Price	White
Darting	Johnston	Reed	Wichman

Nays, none.

Absent or not voting, 14.

Adams	Campbell	Nelson	Slosson
Bergman	Chase	Rees	Smith
Brookhart	Dutcher	Shaff	
Buser	Haskell	Shinn	

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

On motion of Senator Gilchrist Senate File No. 383, a bill for an act to legalize certain warrants issued by the board of supervisors of Pocahontas 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 the word "and" at the end of the second para-

graph, and inserting in lieu thereof the following: "but that the same at the time issued and now exceeds the statutory limitation and".

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking the comma (,) at the end of line 2 of section 1 and by inserting in lieu thereof the words "for the purpose of constructing, maintaining, draining, and dragging roads of the county".

The amendment was adopted.

The bill was read for information.

Senator Gilchrist moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Abben	Darting	Kimberly	Shane
Baird	Dutcher	McIntosh	Slosson
Banta	Ethell	Mantz	Snook
Bergman	Fulton	Mead	Stoddard
Brookhart	Gilchrist	Nelson	Thurston
Brookins	Goodwin	Newberry	Tuck
Browne	Hale	Perkins	White
Buser	Holdoegel	Rees	Wichman
Caldwell	Horchem	Scott	
Cessna	Johnston	Shaff	

Nays, none.

Absent or not voting, 12.

Adams	Chase	Olson	Romkey
Bowman	Hartman	Price	Shinn
Campbell	Haskell	Reed	Smith

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

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Kimberly Senate File No. 365, a bill for an act repealing section 2727-a, supplement to the code, 1913 (C. C. 1889) relating to the disbursement of funds for institutions under the state board of control, and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Darting moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Abben	Cessna	Johnston	Romkey
Baird	Darting	Kimberly	Scott
Banta	Dutcher	McIntosh	Shane
Bergman	Ethell	Mead	Slosson
Bowman	Gilchrist	Nelson	Smith
Brookhart	Hale	Newberry	Snook
Brookins	Hartman	Perkins	Stoddard
Browne	Haskell	Price	Thurston
Buser	Holdoegel	Reed	Tuck
Caldwell	Horchem	Rees	White
			Wichman

Nays, none.

Absent or not voting, 9.

Adams	Fulton	Olson	Shinn
Campbell	Goodwin	Shaff	
Chase	Mantz		

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

On motion of Senator Brookhart Senate File No. 455, a bill for an act to amend section one thousand six hundred fourteen (1614) of the code (C. C. Sec. 5334), relating to the time a corporation may begin business, and to the publication of the notice, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by adding as section 2 the following:

"Sec. 2. This act being deemed of immediate importance shall take effect on and after its publication in the Des Moines Register and the Des Moines Capital, newspapers published in Des Moines, Iowa."

The amendment was adopted.

Senator Brookhart moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Cessna	Johnston	Shane
Baird	Darting	Kimberly	Shinn
Banta	Dutcher	McIntosh	Slosson
Bergman	Gilchrist	Mead	Snook
Bowman	Goodwin	Newberry	Stoddard
Brookhart	Hale	Olson	Thurston
Brookins	Hartman	Price	Tuck
Browne	Haskell	Reed	White
Buser	Holdoegel	Scott	Wichman
Caldwell	Horchem	Shaff	

Nays, 1.

Fulton

Absent or not voting, 10.

Adams
Campbell
Chase

Ethell
Mantz
Nelson

Perkins
Rees
Romkey

Smith

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

By unanimous consent on request of Senator Buser Senate File No. 70 was withdrawn from further consideration.

By unanimous consent on request of Senator McIntosh Senate File No. 321 was withdrawn from further consideration.

Senator White moved that a committee of two be appointed to escort ex-Senator Helmer of Carroll county to the desk. which motion prevailed.

The President appointed as such committee Senators White and Slosson.

Senator Helmer addressed the Senate briefly.

The Journal of February 20th was corrected and approved.

On motion of Senator Shane the Senate adjourned until 4 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

REPORTS OF COMMITTEES

Senator Price, from the committee on public health, submitted the following report:

MR. PRESIDENT: Your committee on public health to whom was referred Senate File No. 143, a bill for an act to amend, revise and codify chapter fifteen (15) of title twelve (12) of the compiled code of Iowa, relating to county aid for the blind, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend section 1 by striking the word "shall" as it appears in line six and inserting in lieu thereof the word "may", and by striking the words and figures "less than one hundred fifty dollars (\$150.00) nor" as they occur in line seven and eight of said section.

Amend section 2 by striking the words "who shall have had training as an oculist and" as they occur in line two of said section.

Amend section 6 by inserting after the word "drawn" in line two the words "from the county fund".

JNO. R. PRICE, *Chairman*.

Ordered passed on file.

Senator Reed, 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. 232, a bill for an act to amend, revise and codify sections seven thousand five hundred (7500) to seven thousand five hundred five (7505), inclusive, of the compiled code of Iowa, relating to instructions, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Senator Buser, from the committee on agriculture, submitted the following report:

MR. PRESIDENT: Your committee on agriculture to whom was referred Senate File No. 375, a bill for an act to require the auditor of state to examine and audit the accounts and business affairs of the board of agriculture, the board of education and the highway commission, and all departments and institutions under their control, and to authorize the executive council to direct and control the manner of keeping accounts, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by inserting the following after the word education in line three (3) of the title: ", board of control"; also amend line four (4) of section one (1) by inserting the following after the word education: ", board of control".

J. D. BUSER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to whom was referred House File No. 263, a bill for an act to repeal chapter one hundred ten, (110) acts of the Thirty-ninth General Assembly, relative to standard widths of sleighs and sleds, beg leave to report it has had the same under consideration and recommends the same do pass.

J. D. BUSER, *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. 368, a bill for an act to amend section two thou-

sand eight hundred twelve-e (2812-e) of the supplemental supplement to the code, 1915 (C. C. 2661), as amended by chapter six (6), acts of the Thirty-ninth General Assembly, relating to school funding, refunding, and building bonds, beg leave to report it has had the same under consideration and recommends the same do pass.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Senator Ethell, 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. 443, a bill for an act to amend section one thousand three hundred three (1303) of the supplement to the code, 1913, relating to the duty of the board of supervisors in counties of sixty-five thousand (65,000) or less, to make a levy, upon the assessed value of the taxable property in said counties, begs leave to report it has had the same under consideration and returns the bill without recommendation.

JOHN J. ETHELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred Senate File No. 381, a bill for an act to amend chapter one hundred ninety-one (191), acts of the Thirty-ninth (39th) General Assembly, (S. C. C. 4036-a1, 4036-a2, 4036-a3), relative to poll tax and providing a penalty for non-payment, beg leave to report it has had the same under consideration and recommends the same be referred to the committee on cities and towns.

JOHN J. ETHELL, *Chairman.*

The report was adopted and the bill referred to committee on cities and towns.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred Senate File No. 145, a bill for an act to amend, revise and codify chapter seventeen (17) of title twelve (12) of the compiled code of Iowa, relating to official newspapers, begs leave to report it has had the same under consideration and recommends the same be referred to committee on printing.

JOHN J. ETHELL, *Chairman.*

The report was adopted and the bill referred to committee on printing.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred Senate File No. 406, a bill for an act relating to and requiring sheriffs to make reports of all monies received from or through

condemnation proceedings and to pay such funds to county treasurers or the successor in office of such sheriff and requiring such treasurers and successors to account for the same, beg leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend the title as follows: by inserting after the word "act" the following, "amending chapter four (4) of title ten (10), code of 1897, (C. C. chapter 31, title 13)".

Also amend by striking from line 3 of section 1, the word "hands" and inserting in lieu thereof the word "possession."

Also by striking from line 4, the same section, the word "hands" and inserting in lieu thereof the word "possession."

Also amend by striking from line 2 of section 2, the word "hands" and inserting in lieu thereof the word "possession."

Also amend by striking from line 2 of section 3 the word "hands" and inserting in lieu thereof the word "possession".

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred House File No. 150, a bill for an act to amend, revise and codify sections thirty-four hundred one (3401) to thirty-four hundred eight (3408), inclusive, and sections thirty-four hundred eleven (3411), thirty-four hundred fourteen (3414), thirty-four hundred fifteen (3415), thirty-four hundred eighteen (3418), thirty-four hundred twenty (3420), and thirty-four hundred twenty-three (3423) of the compiled code of Iowa, relating to jails, beg leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred House File No. 279, a bill for an act to amend title eight (8), chapter one-a (1-a), section fifteen hundred twenty-sevens three (1527-s3), supplemental supplement to the code, 1915, (C. C. 2872), relating to the duties of the board of supervisors in the employment of a county engineer, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Senator Holdoegel raised the point of order that the matter contained in House File No. 279 had been disposed of once by the action of the Senate on Senate File 416.

Senator Price raised the point of order that the point of order was out of order as the matter was not debatable at this time. Sustained.

HOUSE AMENDMENTS CONSIDERED

Senator Reed called up for consideration Senate File 227, amended by the House, and moved that the Senate concur in the following House amendments:

Amend section one by inserting after the word "drainage" in line three thereof the words "or highway".

On the question "Shall the Senate concur in the House amendments?" the vote was:

Ayes, none.

Nays, 33.

Abben	Darting	Johnston	Price
Banta	Ethell	McIntosh	Reed
Bergman	Fulton	Mantz	Rees
Bowman	Gilchrist	Mead	Romkey
Brookins	Hale	Nelson	Shane
Buser	Hartman	Newberry	Slosson
Caldwell	Holdoegel	Olson	Smith
Cessna	Horchem	Perkins	Snook
			Wichman

Absent or not voting, 17.

Adams	Campbell	Haskell	Shinn
Baird	Chase	Kimberly	Stoddard
Brookhart	Dutcher	Scott	Thurston
Browne	Goodwin	Shaff	Tuck
			White

The House amendment having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Wichman five hundred extra copies of Senate File 361 were ordered printed.

INTRODUCTION OF BILLS

Senate File No. 511, by Committee on Pharmacy, a bill for an act to repeal section two thousand five hundred eighty-four (2584) supplemental supplement to the code, 1915, relating to the appointment of the commissioners of pharmacy, the powers and duties thereof, and to enact a substitute therefor.

Read first and second times and placed on the calendar.

Senate File No. 512, by committee on suppression of intemperance, a bill for an act to amend section two thousand three hundred eighty-two (2382) of the supplemental supplement to the code of Iowa, 1915, as amended by chapter two hundred forty-eight (248) section one (1), acts of the Thirty-eighth Gen-

eral Assembly, (C. C. 914) prohibiting the manufacture, possession or use of instruments or materials used in the manufacture of intoxicating liquors.

Read first and second times and placed on the calendar.

Senate File No. 513, by Senator Newberry, a bill for an act to prohibit the sale or exchange, or to have in possession with intent to sell or exchange, any milk, cream, skim milk, butter-milk, condensed or evaporated milk, powdered or dessicated milk, condensed skim milk, or any of the fluid derivatives of any of them to which has been added any fat or oil other than milk fat; providing penalties for the violation of the provisions of this act, and amending chapter two hundred six (206), acts of the Thirty-eighth General Assembly (C. C. 1445).

Read first and second times and referred to committee on food and dairy.

Senate File No. 514, by Senator Mead, a bill for an act to amend chapter two hundred seventy-five (275), acts of the Thirty-eighth General Assembly, relating to the licensing and regulation of motor vehicles.

Read first and second times and referred to committee on motor vehicles.

AMENDMENT TO RULES OFFERED

Senator Brookhart offered the following amendment to the rules:

MR. PRESIDENT: I move that rule 20-b relating to the time of introduction of bills, be revoked and the following rule adopted in lieu thereof:

RULE 20-B

TIME OF INTRODUCTION OF BILLS

No bill shall be introduced in the Senate after March 20th, except such bills as may be reported from standing committees as committee bills.

Senator Buser raised the point of order that this matter had been deferred by the action on the report of the committee on rules. The president held the point of order not well taken.

The amendment was ordered printed in the Journal.

Senator Ethell moved that the Senate have a half-hour service Thursday in honor of Washington's birthday.

Senator Price moved to amend by adding the words "this half-hour to be from 1:30 to 2 p. m."

Senator Hale moved that the Senate adjourn until 9 a. m. Thursday.

Senator Brookhart moved to amend by making the hour 9:30, which motion prevailed, and the Senate adjourned until 9:30 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 22, 1923

The Senate met in regular session, President Pro Tem John R. Price presiding.

Prayer was offered by Col. L. W. Ainsworth, Secretary of the Senate.

Senator Shaff moved that rule 33 be suspended for the day. The motion was lost.

Senator Price withdrew his amendment to Senator Ethell's motion that the Senate hold a half-hour patriotic service.

Senator Ethell withdrew his motion.

Senator Brookhart moved that the Senate meet with the House in joint session to hear Col. Tinley and members of the Iowa National Guard, which motion prevailed.

Senator Stoddard moved that the privilege of the floor be extended to the Iowa National Guard while they are in convention in Des Moines, which motion prevailed.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator McIntosh from the Union County Brotherhood of Railway Trainmen endorsing House File No. 310, and Senate File No. 299 relating to elections. Elections.

By Senator Adams from the American Legion Auxiliary, Glen Peterson Post No. 1 of Spencer, protesting the proposed repeal of the soldiers' tax exemption law. Ways and means.

By Senator Adams from the board of education of Ringstead, relative to the proposed reduction in high school tuition chargeable to nonresident students. Schools.

By Senator McIntosh from Warren H. Icke Camp No. 25, Spanish War Veterans, Creston, protesting the proposed repeal of the soldiers' tax exemption law. Ways and means.

By Senator McIntosh from instructors of Graceland college protesting the proposed repeal of the teachers' minimum wage law, and endorsing the Sampson bill relating to requirements for teachers' certificates. Schools.

INTRODUCTION OF BILLS

Senate File No. 515, by Senator Browne, a bill for an act to amend the law as it appears in section ten (10) of chapter two hundred eighty-seven (287) of the acts of the Thirty-eighth General Assembly as amended by section one (1) of chapter forty-four (44) of the acts of the Thirty-ninth General Assembly (C. C. supplement 1740) relating to the control and suppression of dangerous, contagious and infectious diseases of domestic animals.

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

Senate File No 516, by Senator Abben, a bill for an act to amend section twenty-eight hundred five (2805) of the code (C. C. sec. 2575) relating to the use of the Bible in the public schools of the state.

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

Senate File No. 517, by Senator Mantz, a bill for an act to provide for a marker and fence at the grave of Wilson Alexander Scott and providing an appropriation therefor.

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

Senate File No. 518, by Senator Shaff, a bill for an act requiring county sheriffs to employ professional auctioneers to conduct sales.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 519, by Senator Caldwell, a bill for an act provide for the examination and regulation by the state superintendent of banking of the liability of stock holders in state and savings banks.

Read first and second times and referred to committee on banks and banking.

Senate File No. 520, by Senator Kimberly, a bill for an act to amend section three (3) of chapter two hundred ninety-three (293) acts of the Thirty-eighth General Assembly (C. C. 2506), acts of the Thirty-ninth General Assembly relating to the compensation of public officers.

Read first and second times and referred to committee on judiciary No. 1.

Senate File 521, by Senator Shinn, a bill for an act to repeal section twenty-six hundred eighty-two-c (2682-c) of the supplement to the code 1913, as amended by chapter one hundred sixty (160), acts of the 37th General Assembly, and to repeal section twenty-six hundred eighty-two-d (2682-d) of the supplement to the code, 1913, relating to the state board of education and to enact substitutes therefor.

Read first and second times and referred to committee on educational institutions.

Senate File 522, by Senator Rees, a bill for an act to repeal section seventeen hundred sixty-nine (1769) (C. C. 5478) of the code as amended by section two (2) of chapter two hundred sixty-one (261) acts of the Thirty-ninth (39th) General Assembly and to enact a substitute in lieu thereof, relating to life insurance companies.

Read first and second times and referred to committee on insurance.

Senate File No. 523, by Senator Buser, a bill for an act repealing section twenty-six hundred eighty-two-y (2682-y) supplement to the code, 1913, (C. C. sec. 2338) and providing a substitute therefor relating to the disposition of the funds in possession of the finance committee of the state board of education.

Read first and second times.

Senator Buser moved that Senate File 523 be referred to the committee on departmental affairs.

President Pro Tem Price held the motion out of order as it was wholly within the power of the chair to refer these bills to any committee, and referred the bill to the committee on departmental affairs.

Senator Holdoegel moved that the bill be referred to committee on educational institutions.

Senator Brookhart raised the point of order that the motion, according to the chair's ruling, was out of order.

President Pro Tem Price held the point of order not well taken.

Senator Holdoegel asked for a roll call.

The bill was read for information.

Senator Holdoegel withdrew his motion and Senate File 523 was referred to the committee on departmental affairs.

Senate File No. 524, by Senator Gilchrist, a bill for an act to amend section two thousand seven hundred thirty-four-d (2734-d), supplement to the code, 1913 (C. C. 2482), relating to the issuance of teachers' certificates by the board of educational examiners.

Read first and second times and referred to committee on public schools.

REPORTS OF COMMITTEES

Senator McIntosh, 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. 290, a bill for an act to repeal section two thousand four hundred sixty-one-m (2461-m) of the supplemental supplement to the code, 1915, (C. C. sec. 1024) and to enact a substitute therefor defining persistent violators of the intoxicating liquor laws and fixing penalties for such violations, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by inserting in the fifth (5) line, section one (1), after the word "convicted" the words "or having entered a plea of guilty".

Also amend by striking out of the ninth (9) line of section one (1) the words "tried and" after the word "be" and insert after the word "convicted" in the same line "or entered a plea of guilty".

J. A. MCINTOSH, *Chairman*.

Ordered passed on file.

Senator Hale moved that the vote by which rule 33 failed to be suspended be reconsidered, which motion prevailed.

On motion of Senator Hale rule 33 was suspended for the day.

REPORT ON RULES CONSIDERED

Senator Bowman called up for consideration the following report from the committee on rules:

MR. PRESIDENT: Your committee on rules beg leave to report that rule 20-d be amended as follows: that the words "March 1st" in line six (6) of rule 20-d be stricken out and the words "third legislative day in March" be inserted in lieu thereof.

Also that rule 20-a be amended as follows:

That the words "March 1st" in line five (5) of rule 20-a be stricken out and the words "third legislative day in March" be inserted in lieu thereof.

Senator Brookhart moved that this matter be rereferred to the rules committee with instructions to report tomorrow morning.

Senator Brookhart moved to amend his motion by making the time this afternoon instead of tomorrow, which motion prevailed and the matter was rereferred.

Senator Brookhart offered the following amendment to the rules and moved its adoption:

MR. PRESIDENT: I move that rule 20-b relating to the time of introduction of bills, be revoked and the following rule adopted in lieu thereof:

RULE 20-B

TIME OF INTRODUCTION OF BILLS

No bill shall be introduced in the Senate after March 20th, except such bills as may be reported from standing committees as committee bills.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 33.

Abben	Ethell	McIntosh	Rees
Banta	Fulton	Mantz	Romkey
Bergman	Gilchrist	Nelson	Scott
Bowman	Goodwin	Newberry	Shane
Brookhart	Hale	Olson	Shinn
Browne	Hartman	Perkins	Snook
Buser	Horchem	Price	Stoddard
Cessna	Johnston	Reed	Thurston
			Wichman

Nays, none.

Absent or not voting, 17.

Adams	Chase	Kimberly	Tuck
Baird	Darting	Mead	White
Brookins	Dutcher	Shaff	
Caldwell	Haskell	Slosson	
Campbell	Holdoegel	Smith	

The amendment was adopted.

MESSAGES FROM THE HOUSE

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

House concurrent resolution for a joint convention today at 11:20 o'clock.

Also, I am directed to inform your honorable body that the House returns herewith as requested House File No. 38, a bill for an act to amend, revise and codify sections six hundred ninety-four (694), six hundred ninety-eight (698), seven hundred (700) and seven hundred three (703) of the compiled code of Iowa, relating to notaries public.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 299, a bill for an act providing for the letting of contracts by the state board of education.

A. C. GUSTAFSON, *Chief Clerk.*

CONCURRENT RESOLUTION CONSIDERED

Be It Resolved by the House, the Senate concurring, That a joint convention of the two houses of the Fortieth General Assembly be held on February 22, 1923, at 11:20 a. m., said joint convention being in memory of the life and service of the father of our country, George Washington, and

Be It Further Resolved. That Howard J. Clark be invited to address the joint meeting of the two houses of the General Assembly, and

Be It Further Resolved. That the officers of the Iowa National Guard be also invited to participate in these patriotic exercises.

Senator Brookhart moved that the rules be suspended and the resolution be considered at this time, which motion prevailed.

On the question "Shall the Senate concur?" the vote was:

Ayes, 36.

Abben	Ethell	Kimberly	Reed
Paired	Fulton	McIntosh	Scott
Banta	Gilchrist	Mantz	Shane
Bowman	Goodwin	Mead	Slosson
Brookhart	Hale	Nelson	Snook
Brookins	Hartman	Newberry	Stoddard
Caldwell	Holdoegel	Olson	Thurston
Cessna	Horchem	Perkins	Tuck
Darting	Johnston	Price	Wichman

Nays, none.

Absent or not voting, 14.

Adams	Campbell	Rees	Smith
Bergman	Chase	Romkey	White
Browne	Dutcher	Shaff	
Buser	Haskell	Shinn	

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

Senator Reed was called to the chair at 10:40.

President Pro Tem Price resumed the chair at 11 a. m.

THIRD READING OF BILLS

On motion of Senator Banta, Senate File No. 366, a bill for an act to amend section 2258 of the code (C. C. 2020), sec. 2727-a-96, supplemental supplement to the code (C. C. 1980) and amendments thereto relating to salaries and perquisites of certain officials in institutions under the management of the state board of control, was taken up and considered, the committee having reported it out without recommendation.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by striking from the bill wherever they appear the words and figures "four thousand (4000)" and inserting in lieu thereof the words and figures "thirty-five hundred (3500)".

Senator Cessna invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was

Ayes, 20.

Abben	Goodwin	Horchem	Shaff
Bowman	Hale	Kimberly	Slosson
Brookhart	Hartman	Newberry	Stoddard
Darting	Haskell	Reed	White
Gilchrist	Holdoegel	Scott	Wichman

Nays, 25.

Baird	Cessna	Mead	Romkey
Banta	Ethell	Nelson	Shane
Bergman	Fulton	Olson	Shinn
Brookins	Johnston	Perkins	Smith
Buser	McIntosh	Price	Snook
Caldwell	Mantz	Rees	Thurston
			Tuck

Absent or not voting, 5.

Adams	Campbell	Chase	Dutcher
Browne			

The amendment was lost.

COMMITTEE FROM THE HOUSE

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 under the direction of the sergeant-at-arms.

JOINT SESSION

As per concurrent resolution duly adopted, the joint session was called to order, Honorable John R. Price, President pro tempore of the Senate, presiding.

President Pro Tempore Price announced a quorum present and the joint convention duly organized.

Yenter of Johnson moved that officers of the Iowa National Guard, now in convention in Des Moines, be extended an invitation to attend his joint convention, that one of their number be invited to address this joint convention, and that a committee of six be appointed to notify them of the invitation extended.

Motion prevailed and the following committee was appointed: Yenter of Johnson, Rankin of Lee and Rumley of Decatur, on the part of the House, and Senators Reed of Howard, Brookhart of Washington and Shane of Wapello, on the part of the Senate.

Yenter of Johnson, from the committee appointed to notify the officers of the Iowa National Guard of the invitation extended to them to attend the joint convention, announced the arrival of Lieutenant-Colonel Matthew A. Tinley, commander of the Iowa National Guard, Hon. Howard J. Clark and officers of the Iowa National Guard.

Colonel Tinley and Mr. Clark were escorted to the speaker's station and the officers of the Iowa National Guard took seats on the main floor of the House chamber.

President Pro Tempore Price then introduced Colonel Tinley as follows:

Members of the General Assembly: I do not introduce to you, I present to you one who is well known in the state of Iowa, who will address you on the occasion of the life and character of the first president of the United States—Colonel Tinley.

REMARKS OF COLONEL TINLEY

Mr. President and Members of the General Assembly and Lady Citizens of the State of Iowa:

It is not a word of flattery when I say it is my privilege this morning to speak to the select citizens of the state of Iowa for from every part of this state you gentlemen have been selected to guard the destinies of the most wonderful state in that most wonderful gathering of states that constitutes our country. You gentlemen are here, not to be swayed

by partisan politics, by bigotry, by any ideas of personal aggrandizement, but are here to do that which is best for the people you represent—the state of Iowa. Therefore, it is my privilege this morning to speak to Iowa's select men, and as I came up to this building this morning, seated as it was on this hilltop looking to the east and to the west, to the north and to the south, with a guarding eye upon every part of the fertile acres of this wonderful state of ours, my mind went back to Mount Vernon near the city of Washington—a beautiful sight where the father of his country spent his happy hours in his home. I recall the picture that has been painted of the father of his country standing on a hillside near the city of the dead of the nation's honored men in Arlington, and the vision that he had as he looked over the barren waste of land there and saw what in the future would occupy that ground, the wonderful building from which the destinies of this nation and the welfare and justice that was to be meted out to all nations would emanate and the buildings in the various angles of that city and some of the things beyond the confines of the eastern coast of this country were included in the scope of the vision that George Washington had in those days. But I wondered as I viewed the vision as pictures of Washington if he visualized the things that were to transpire for centuries to come in this country, if he looked down the periods of time that were to come and see the wonderful people that were to follow after him, see the things that were to be done by this nation; I wondered if he could visualize the dangers that were to meet the peoples of this nation, those things that crop out periodically of a radical nature, those things that endanger the peace and welfare of a nation; the differences that were to come between people because one is employer and the other employed; whether he visualized in those days the problems that were going to confront the people of this country because men were the employed or the employer, because some were rich and others poor, because they belonged to one sect or another; whether he could visualize the tendency to pry those people apart; and whether he could visualize that throughout this nation there was always going to be, as there always has been, bodies of men selected from every state and from every county in every state who might gather together, possibly going there with some ideas a little divergent from the opinion held by the state at large or the nation at large, but men broad-minded enough, God-fearing men, men who want only that which is right, who, when the question was placed before them would get together and render a just and satisfactory decision. I am satisfied that that far-seeing man in those days did see the optimistic side of the problem and realized that a nation such as this which he was founding would always have to represent her men who could render a just and honest finding, men whose judgment would be for the benefit and welfare of the entire people, who would not be swayed by the apparent public opinion that would lead them into the by-ways that would place disrepute upon this nation.

We celebrate today the birthday of George Washington; we render specific honor unto him, but the fact is, that this particular day is set aside to celebrate the birthday of George Washington and of every honorable man who has served his nation—the father of his country and the entire family that follow thereafter of servers of his country.

Gentlemen, it is a pleasure to have been with you this morning and to bring my official family, the representatives of the Iowa National Guard, here to be with you in celebrating this occasion.

President Pro Tempore Price then introduced Hon. Howard J. Clark as follows:

Members of the General Assembly: I now have the pleasure of not introducing, but representing again, one of Iowa's distinguished citizens who will represent the civilian life of the state of Iowa on this occasion, Hon. Howard J. Clark of Des Moines and the state of Iowa:

REMARKS OF HON. HOWARD J. CLARK

Mr. President, members of the General Assembly of Iowa, officers of the Iowa National Guard and fellow citizens:

I must acknowledge first the great honor you have bestowed upon me in inviting me here to address you today. It is an occasion that compels every American citizen to stop and consider, for the nation's welfare, when he but reflects and thinks of the Father of his Country, George Washington. You are fortunately situated, members of this assembly, in the fact that you have been selected to take part in and be a portion of a period of readjustment. They come, they go, and they will recur again and again. That is the life of a free people. That is advancement; that is the way America has achieved its greatness, but this is the storm center, this time of all the times we have had since the civil war. And it behooves us to reflect again and again upon the men and measures, the conditions that prevailed, that prompted and established this United States of America and made us one nation under a common flag. We can cast readily upon the screen for our vision the conditions that prevail today, but it is somewhat more difficult for us to cast upon that screen for our consideration the things that the father of his country and his associates had to deal with. There has been no man in public life that has achieved even in a comparable manner the things that the father of our country accomplished that there is so little history about and so much tradition. Tradition tells us of Washington in all the avenues of life, but history is not so replete with his actions and his conduct and the performance of his duties from the time he first entered the public service until the day of his death.

In the beginning of our country's welfare we were projected into a controversy that brought about the establishment of a nation, and then, men of this assembly and officers of the Guard and fellow citizens, the line of demarcation was just as permanent and pronounced as it is today. The men of the time stood four-square for the welfare of the people as a whole as they are doing today. They were aggressive, persistent, always to the fore, fighting men, if you please, in every avenue of life for a government of the people, a government by the people and for the people. And so, as long as we maintain ourselves as a militant fighting force in the assembly of the state of Iowa, so surely will the agricultural region of this middle west be represented and be heard of abroad. You have a most wonderful opportunity and you are serving it well. No man who

has not felt the heart throb of agriculture can represent it fairly anywhere at any time. He must have in him the fighting spirit, the very essence, if you please, of agriculture if he is to be her representative; he is not to sit in judgment, my friends, between the matters of contending forces. You are here as our representatives, to be a militant force for the upbuilding of this state and for the upbuilding of the nation. We hear men say that in the olden days, in the days of the first president of the United States, her members of congress sat in judgment. Whoever heard of George Washington in the performance of his duty sitting in judgment? He was the most militant, aggressive force of his time and not much of a talker; but he was always there. From the time that he became the first surveyor in which he bulidled a reputation for stability and the protection of the rights of others, from the time of his effort, on the death of Lord Fairfax, in the surveying of that estate in Virginia, during all the times of the war, the stresses that were placed upon him and the responsibility that rested upon his shoulders, he did not cease for one moment to be the representative of the people all the time.

We have a vision of the first president of the United States at the convening of the national constitutional convention. He was president of that convention, and while for years the records of the organization and the promulgation of the constitution of the United States was not a matter of public record and for public use, we now know that during that time the president of the United States, afterwards the first great president we ever had, was the controlling influence in bringing about the promulgation and the adoption by that convention of the greatest instrument recognized at home and abroad for the government of a people that any time or set of men ever produced—the constitution of the United States. It is at once an instrument that protects and preserves the rights and is the guiding star of all the people of all the land today, but it is far more than that—this instrument that responds to the working of the executive, the legislative and the judicial departments of our government, it has been applied to the advancing and changing conditions that confront our nation and it is easy of amendment if it does not so respond. It has seen the greatest growth and greatest development of any instrument, written or unwritten, by the interpretation of the supreme court of the United States. In the beginning of our government, and at that time we had sitting side by side men like John Adams, Thomas Jefferson, John Marshall, George Mason, Patrick Henry and the great George Washington, among the greatest men this country ever produced, and their great focus of strength was brought together at the time of the adoption of the constitution by the assembly of Virginia. While enough states under the provisions of the constitution had adopted it to make it effective, everyone recognized that it would not be the effective instrument that it should be if the Old Dominion failed to respond by its adoption. The convention was called together at Richmond and there gathered together the greatest force of men that ever gathered together under a common flag for a common purpose. Patrick Henry, the man who always voiced the cause of the common people, was there voicing an abundant alarm, of which I think he was the greatest exponent. He could make the most out of nothing and make it sound

so that it convinced men of good judgment—he was there with all his strength against the adoption of the constitution. George Mason, one of the greatest lawyers in this country, was there. And on the other hand, we had John Marshall, the great justice of the supreme court of the United States, the man who expanded and interpreted that constitution until it became an instrument adaptable for the development of this country, to meet the present conditions and those of the future. Then there was George Washington, but he did not make any speeches. Contrary to all the present day conditions that it is better to travel a thousand miles than to write a letter, George Washington never traveled a mile, but performed all of his public service by letter; and at the time of the convening of that convention Edmund Randolph, a man who was popular in America in the sense of popularity, was governor of Virginia and supposedly against the adoption of the constitution. It was generally known that if Randolph was against the constitution it would be defeated. How did Washington reach him? He wrote Randolph a letter relative to the adoption of the constitution, and to know the attitude of mind on the part of Randolph. When the convention was called and the time came for Randolph to speak, he delivered one of the greatest addresses in favor of the constitution. No one ever saw Washington's letter. It was said afterwards by persons in the heat of passion that Washington had promised Randolph to be the first attorney general of the United States if the constitution was adopted and he was elected president. The letter has never been seen, but it is certain that Randolph became attorney general. Some people would say, even at this stage of our national life that that was sort of a questionable political performance. I have known it to be done even down to the present time, and I have no doubt some of you gentlemen have heard of it at least.

The great tug of war or bone of contention in that convention was, first, the fact that the constitution did not have the bill of rights by which the government was prohibited from taking private property without just compensation. We hear men talk about that as if that amendment was a new departure with the makers of the constitution, when it was the law of the English-speaking people for more than 400 years before that time. The other bone of contention was the sanctity of contracts, and that had been a part of the common law of England of this country by adoption for more than 400 years. So there was nothing new in the adoption of that amendment, and the argument was, that it should be excluded because already a part of the common law, but to satisfy Patrick Henry and others, it was put in by way of amendment. Patrick Henry made one of the greatest appeals ever made to the men in that convention. He drew a great cloud over the people from Kentucky that the Mississippi river would not be a chain of commerce if the constitution were adopted; had pictured all the troubles which they would have, and in the most flaming way, and just as he was drawing his conclusion on the last day of that address there was a great thunderstorm which rose suddenly; lightning flashed, and the great man said, "The very elements of heaven are with me on this occasion," and men, can you believe that half of the delegates left their seats and were confounded by the combination of Patrick Henry's eloquence and the storm. That was the type

of contention and forensic force that was brought to bear on public questions, and it was only by the quiet, persistent, everlasting service of the first president of the United States that we had the constitution at all. He became president of the United States, and in carrying out the very functions that he was elected to perform, he first turned his attention to the funding of the public debt. Every argument that Thomas Jefferson and the men of that type could bring to bear against the payment of public debt was brought to bear. Washington made no speeches, but went quickly to work and when the roll was called we assumed and paid the debt for our liberties as we should have done. Then came the question of a national bank—the same contention about a bank, and all through his career as president he had that stormy, contentious struggle over the problems for the advancement of the future. We can throw upon the screen the fact that men of his type could see way down into the present and future and discover that America must be a united country and one of a common impulse and a common purpose if we should ever work out our destiny as we should. We have now the permanent question squarely before us, just as they did, whether or not, in the economic world, one kind or character of property shall be given a privilege over another kind or character of property, and while we had the greatest advocates on one side or the other, George Washington never waived in his allegiance to that sound economic principle that all property, as well as all persons, should be on an equality at all times and none given a preference or advantage over another.

The president of the United States came out of his campaign, and I call it a campaign—his service as president of the United States, one of the great figures of the world. He dominated America, not by words, but by sheer force of character and by the service that he performed. He came forward and gave to us for the days to come the society and the civilization that we have. Many men at that time had a force and effect upon the policies that prevailed and were put into force, but running through it all is his clear vision. One can see that at all times the president of the United States was the force that carried it forward and put it into execution. We call Abraham Lincoln the great commoner, as we should, but, my friends, aside from the fact that George Washington lived in another age and time, he was his equal and as great a commoner as Abraham Lincoln in his time and day, and we only hope and pray reverently in our own way and own time for another man who will see humanity as it is today, who will stand as a commoner for all the people all the time.

In his private life at no time did any man or set of men ever point to anything but honorable conduct on the part of George Washington. At no time in all of his career do we find any question as to his integrity in his private dealings, or even the shadow of a criticism in his public administration. My friends, is not that sufficient to account for all the great homage that we pay this man on this day? You cannot stand at Mount Vernon alone with nothing but the traditions without visualizing George Washington, 6 feet 2 inches tall, 185 pounds, raw-handed, strong virile character that he was, and then reflect that the country that we have is but the thing that he put in motion. I know that men think today that they are casting great shadows across the pathway that

that reflect in one direction or another on work that Washington has done. My friends, no man but Washington himself can reflect the things that he did. He is the bulwark and the strength of all of us and of our nation.

We are hearing a great many complaints about the conditions in our country. We will have this contest going on from time to time just as certainly as we grow, but I want to remind you with all the force that is in me that America with all of our faults is the best place on earth in which to live. We have been the receiving ground for all the people for all time. As President Harrison said on one occasion, "The gates of Castle Garden always swing inward". That was true until the late unpleasantness, when we discovered that we had in our midst a considerable number of men who, while carrying the citizenship of the republic, had not in fact and in good faith renounced their allegiance to their sovereign across the sea. Some of them had the good sense and grace to leave on their own account and by their own free will. Some of the balance went by our invitation, never to return, and so far as I am concerned, the man who comes here and receives his citizenship and does not respond to the impulses of America, ought to go back to the land where he belongs; he and his kind should stay there forever.

I most heartily thank you for this occasion and for this opportunity. I want to pay all the homage and all respect that is in me to the men who represent this commonwealth in this assembly. You represent in my judgment the most evenly balanced and the most evenly distributed, so far as the world's benefits are concerned, a people anywhere on the face of the earth. You represent here a people who are growing and developing. We are having our difficulties, but I have no doubt in my mind that in due course the agricultural Iowa will be back on the front steps of prosperity where it belongs, and that that day is not far distant in any event.

I thank you for the occasion because I want to pay the highest tribute that is possible to the men who give their time and their effort to come here to see that the young men of our country and of our state are developed along the line that makes them useful citizens for our protection and for the protection of all that we have—the officers of the Iowa National Guard. I want to express through you to the men of the National Guard, my appreciation of the work that you are doing and the sacrifices you are making. And I want to say that it is a sacrifice. No man in the commonwealth knows what sacrifices they are making. It is not all visible here. This is not what these men are here for, but for genuine, hard, systematic work for your benefit and mine, and we should pay them that respect and that courtesy to which they are entitled. And above all, and because we all want to honor the first president of the United States for his genuine worth, we again and again show to the people our appreciation of his greatness. I thank you.

Hauge of Polk moved that the remarks of Colonel Tinley and Mr. Clark be printed in the journal. Motion prevailed.

Leonard of Taylor moved that the joint convention be now dissolved. Motion prevailed.

The Senate returned to the Senate chamber and resumed session.

On motion of Senator McIntosh, the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Pro Tem John R. Price presiding.

The Senate resumed consideration of Senate File No. 366.

Senator Tuck offered the following amendments and moved their adoption:

Amend by striking wherever they occur the following words "and insert in lieu thereof the words four thousand".

Also amend by striking out all of section 5.

By unanimous consent Senator Tuck withdrew his amendment.

Senator Banta asked for the customary ten minutes to close the debate.

President Pro Tem Price ruled that a Senator is not given ten minutes to close unless the previous question had been ordered.

Senator Buser raised the point of order that the ten minutes for the closing debate had expired.

President Pro Tem Price held the point not well taken, as the ruling had been made that there could be no ten minutes for closing when the previous question had not been ordered.

Senator Banta moved that the bill be read a third time which motion prevailed and the bill was read a third time.

Senator Banta invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 10.

Baird	Dutcher	Horchem	Stoddard
Bowman	Hale	Kimberly	
Darting	Holdoegel	Newberry	

Nays, 34.

Abben	Fulton	Olson	Slosson
Banta	Gilchrist	Price	Smith
Bergman	Goodwin	Reed	Snook
Brookhart	Hartman	Rees	Thurston
Brookins	Haskell	Romkey	Tuck
Buser	Johnston	Scott	White
Caldwell	McIntosh	Shaff	Wichman
Cessna	Mead	Shane	
Ethell	Nelson	Shinn	

Absent or not voting, 6.

Adams
Browne

Campbell
Chase

Mantz
Perkins

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Tuck moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table.

Senator Baird asked for a division of the motion.

The motion to lay on the table prevailed.

CONCURRENT RESOLUTION

Senator Newberry offered the following resolution:

Be It Resolved by the Senate, the House concurring: That joint rule No. nineteen (19) be amended by striking out the following: "March 1st" in line ten (10) thereof, and inserting in lieu thereof the following: "the third legislative day in March."

By unanimous consent on request of Senator Newberry the resolution was taken up and considered.

Senator Newberry moved its adoption, which motion prevailed.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Gilchrist for the afternoon on request of Senator McIntosh.

REPORT OF COMMITTEE ON RULES

Senator Bowman from the committee on rules submitted the following report:

MR. PRESIDENT: Your committee on rules recommends as follows: That the words "the first Monday after March 1st" in line 5 of rule 20-a be stricken out and "March 20th" be inserted in lieu thereof.

M. L. BOWMAN, *Chairman.*

On the question "Shall the report be adopted" the vote was:

Ayes, 34.

Abben
Bergman
Bowman
Banta
Baird
Brookhart
Brookins
Caldwell
Cessna

Dutcher
Fulton
Hale
Hartman
Holdoegel
Johnston
Kimberly
McIntosh
Mead

Nelson
Newberry
Olson
Price
Reed
Rees
Scott
Shane
Shinn

Slosson
Smith
Snook
Stoddard
Thurston
White
Wichman

Nays, none.

Absent or not voting. 16.

Adams	Chase	Goodwin	Perkins
Browne	Darting	Haskell	Romkey
Buser	Ethell	Horchem	Shaff
Campbell	Gilchrist	Mantz	Tuck

The committee report was adopted.

Senator Stoddard moved that Senate File No. 375 be referred to the committee on educational institutions.

President Pro Tem Price held the motion out of order under the ruling that it was wholly in the power of the chair to refer bills.

Senator Stoddard suggested that the bill be referred to the committee on appropriations.

Senator Smith raised the point of order that there was no motion before the Senate.

President Pro Tem Price held the point well taken and ordered the bill to retain its place on the calendar.

By unanimous consent on request of Senator Reed Senate File No. 520 was withdrawn from the committee on judiciary No. 1 and referred to the committee on county and township affairs.

THIRD READING OF BILLS

On motion of Senator Holdoegel, House File No. 368, a bill for an act to amend section two thousand eight hundred twelve-e (2812-e) of the supplemental supplement to the code, 1915 (C. C. 2661), as amended by chapter six (6), acts of the 39th General Assembly, relating to school funding, refunding, and building 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 Smith moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Buser	Fulton	Johnston
Baird	Caldwell	Hale	McIntosh
Bergman	Cessna	Hartman	Nelson
Bowman	Darting	Haskell	Newberry
Brookhart	Dutcher	Holdoegel	Price
Brookins	Ethell	Horchem	Reed

Scott
Shaff
Shane

Shinn
Slosson
Smith

Snook
Stoddard
Thurston

Tuck
Wichman

Nays, none.

Absent or not voting, 15.

Adams
Banta
Browne
Campbell

Chase
Gilchrist
Goodwin
Kimberly

Mantz
Mead
Olson
Perkins

Rees
Romkey
White

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

On motion of Senator Shane further action on Senate File No. 511 was deferred until after the recess.

On motion of Senator Reed, House File No. 232, a bill for an act to amend, revise and codify sections seven thousand five hundred (7500) to seven thousand five hundred five (7505), inclusive, of the compiled code of Iowa, relating to instructions, 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 reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Abben
Baird
Banta
Bergman
Brookhart
Brookins
Buser
Caldwell
Cessna
Darting

Dutcher
Fulton
Hale
Hartman
Haskell
Holdoegel
Johnston
Kimberly
McIntosh
Mead

Nelson
Newberry
Olson
Price
Reed
Rees
Romkey
Scott
Shaff
Shane

Shinn
Slosson
Smith
Snook
Stoddard
Thurston
Tuck
White
Wichman

Nays, none.

Absent or not voting, 11.

Adams
Bowman
Browne

Campbell
Chase
Ethell

Gilchrist
Goodwin
Horchem

Mantz
Perkins

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

On motion of Senator Shane Senate File No. 143, a bill for an act to amend, revise and codify chapter fifteen (15) of title

twelve (12) of the compiled code of Iowa, relating to county aid for the blind, 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 1 by striking the word "shall" as it appears in line six and inserting in lieu thereof the word "may", and by striking the words and figures "less than one hundred fifty dollars (\$150.00) nor" as they occur in line seven and eight of said section.

Amend section 2 by striking the words "who shall have had training as an oculist and" as they occur in line two of said section.

Amend section 6 by inserting after the word "drawn" in line two the words "from the county fund".

By unanimous consent on the request of Senator Shane the word "from" was stricken from the last line of the amendment and the word "upon" inserted in lieu thereof; also the word "general" was inserted between the words "county" and "fund" in the same line.

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

Senator Buser moved that the vote by which this bill passed to its third reading be reconsidered, which motion prevailed.

Senator Holdoegel was called to the chair at 2:35.

Senator Thurston offered the following amendment and moved its adoption:

Amend by adding "or poor fund at the discretion of the board" after the word "fund" in line 2 of section 6.

The amendment was adopted.

Senator Shane moved that the reading just had be considered its third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 43.

Abben	Dutcher	McIntosh	Shaff
Baird	Ethell	Mantz	Shane
Banta	Fulton	Mead	Shinn
Bergman	Goodwin	Nelson	Slosson
Bowman	Hale	Newberry	Snook
Brookhart	Hartman	Olson	Stoddard
Brookins	Haskell	Price	Thurston
Buser	Holdoegel	Reed	Tuck
Caldwell	Horchem	Rees	White
Cessna	Johnston	Romkey	Wichman
Darting	Kimberly	Scott	

Nays, none.

Absent or not voting, 7.

Adams	Campbell	Gilchrist	Smith
Browne	Chase	Perkins	

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

On motion of Senator Wichman Senate File No. 406, a bill for an act relating to and requiring sheriffs to make reports of all monies received from or through condemnation proceedings and to pay such funds to county treasurers or the successor in office of such sheriff and requiring such treasurers and successors to account for 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 as follows: by inserting after the word "act" the following, "amending chapter four (4) of title ten (10), code of 1897, (C. C. chapter 31, title 13)".

Also amend by striking from line 3 of section 1, the word "hands" and inserting in lieu thereof the word "possession."

Also by striking from line 4, the same section, the word "hands" and inserting in lieu thereof the word "possession."

Also amend by striking from line 2 of section 2, the word "hands" and inserting in lieu thereof the word "possession."

Also amend by striking from line 2 of section 3 the word "hands" and inserting in lieu thereof the word "possession".

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

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Abben	Fulton	Mantz	Shaff
Baird	Goodwin	Mead	Shane
Banta	Hale	Nelson	Shinn
Bergman	Hartman	Newberry	Slosson
Brookhart	Haskell	Olson	Sneck
Brookins	Holdoegel	Price	Stoddard
Buser	Horchem	Reed	Thurston
Caldwell	Johnston	Rees	Tuck
Cessna	Kimberly	Romkey	White
Ethell	McIntosh	Scott	Wichman

Nays, none.

Absent or not voting, 10.

Adams	Campbell	Dutcher	Smith
Bowman	Chase	Gilchrist	
Browne	Darting	Perkins	

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

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the Senate concurrent resolution amending joint rule No. 19.

A. C. GUSTAFSON, *Chief Clerk.*

President Pro Tem Price resumed the chair at 3 p. m.

By unanimous consent on request of Senator Reed the vote by which House File 38 passed the Senate was reconsidered; also the vote by which it passed to its third reading.

Senator Reed offered the following amendment and moved its adoption:

Amend by renumbering "section 4-a" as "section 5-a".

The amendment was adopted.

The bill was read for information.

Senator Reed moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Abben	Ethell	McIntosh	Scott
Baird	Fulton	Mantz	Shaff
Banta	Goodwin	Mead	Shane
Bergman	Hale	Nelson	Shinn
Bowman	Hartman	Newberry	Slosson
Brookhart	Haskell	Olson	Snook
Brookins	Holdoegel	Price	Thurston
Buser	Horchem	Reed	Tuck
Caldwell	Johnston	Rees	White
Cessna	Kimberly	Romkey	Wichman

Nays, none.

Absent or not voting, 10.

Adams	Chase	Gilchrist	Stoddard
Browne	Darting	Perkins	
Campbell	Dutcher	Smith	

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

By unanimous consent Senator Bergman withdrew Senate File 400 from further consideration.

INTRODUCTION OF BILLS

Senate File No. 525, by Senator Buser, a bill for an act authorizing drainage districts to issue funding bonds for the purpose of settling, adjusting, renewing and extending the legal indebtedness they may have or any part thereof.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 526, by Senator Shinn, a bill for an act to require the labeling of yarn, bedding, cloth, fabrics or articles of apparel containing or purporting to contain wool, offered for sale in this state and of samples of materials containing or purporting to contain wool, displayed in this state in soliciting orders; providing penalties for violation, and methods of enforcement of its provisions.

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

Senate File No. 527, by Senator Stoddard, a bill for an act to aid county and district fairs, livestock shows and agricultural societies in the advancement of diversified farming and livestock raising and to make an appropriation therefor.

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

Senate File No. 528, by Senator Goodwin, a bill for an act relating to playground maintenance fund in cities and to govern the use of said fund.

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

Senate File No. 529, by Senator Bergman, a bill for an act to authorize the inspection of rated risks and the appointment of inspectors under the direction of the commissioner of insurance, and to authorize such commissioner to order immediate publication of a new rate based upon such inspection.

Read first and second times and referred to committee on insurance.

Senate File No. 530, by Senator Hartman, a bill for an act making an appropriation to defray the expenses of the inaugural ceremonies.

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

Senate File No. 531, by Senator Dutcher, a bill for an act to amend section seventeen hundred ninety-eight-b (1798-b) supplement to the code, 1913 (C. C. sec. 5524), relating to the valuation of assessment policies or certificates, or benefit certificates of assessment companies or fraternal beneficiary societies reincorporated under said section to transact life insurance business.

Read first and second times and referred to committee on insurance.

HOUSE MESSAGE CONSIDERED

House File No. 299, a bill for an act to provide for the letting of contracts by the state board of education.

Read first and second times and referred to committee on educational institutions.

REPORT OF COMMITTEE

Senator Mead, 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. 408, a bill for an act to amend chapter three hundred ninety-six, acts of the 37th General Assembly, as amended by chapter 87, acts of the 39th General Assembly, (C. C. 1128) relating to the trapping of fur bearing animals and providing for the protection of skunks, beg leave to report it has had the same under consideration and recommends the same be amended as follows: and when so amended the bill do pass:

Amend by adding thereto the following:

"Also by striking out the word 'October' at the end of chapter 87, of the acts of the 39th General Assembly and inserting in lieu thereof the word 'November'."

O. L. MEAD, *Chairman.*

Ordered passed on file.

The Journal of February 21st was corrected and approved. •

On motion of Senator Brookhart the Senate adjourned until 9:30 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 23, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. J. P. Simms, pastor of the Bethel A. M. E. Church, of Des Moines, Iowa.

On motion of Senator Shinn rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hale for the day, on request of Senator Reed; Senator Browne for the day, on request of Senator Nelson; Senator Baird for the day, on request of Senator Horchem; Senator McIntosh for the day, on request of Senator Bowman; Senator Perkins for the day, on request of Senator Fulton; Senator Darting for the day, on request of Senator Mead; Senator Haskell for the day, on request of Senator Mead; Senator Campbell for the day on request of Senator White; Senator Newberry for the day, on request of Senator Buser.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Stoddard from the Missouri and Maple Valleys Association of Boards of Education commending the Senate on its defeat of the Berry bill, endorsing the proposed measure placing the appointment of the state superintendent in the hands of the state board of education, and protesting any measure reducing the tuition for nonresident pupils. Schools.

By Senator Banta from Capt. Edward M. Sheehan Post No. 30, American Legion, Independence, urging acceptance of the proffered gift to the university hospital. Appropriations.

• By Senator Abben from citizens of Osceola protesting Senate File No. 273 proposing a tax on gasoline. Ways and means.

By Senator Thurston from citizens of Murray, Iowa, urging opposition to the proposed amusement tax. Ways and means.

By Senator Smith from the Federation of the City of Winterset urging acceptance of the Sheppard-Towner act. Appropriations. :

By Senator Adams from Camp No. 7990, M. W. A., Gruver, protesting the Richmond bill. Insurance.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files Nos. 360, 304, 383, 433, 358, 159; House Joint Resolution No. 5; and House Files Nos. 70, 106, 311, 333 and 465.

INTRODUCTION OF BILLS

Senate File No. 532, by Senator Brookhart, a bill for an act to amend chapter three hundred sixty-seven (367), acts of the Thirty-seventh (37th) General Assembly (C. C. sec. 3593); section seven hundred twenty-six (726), supplemental supplement to the code, 1915 (C. C. sec. 3638); section two (2) of chapter three hundred twelve (312), acts of the Thirty-eighth (38th) General Assembly (C. C. sec. 3675); section seven hundred sixty-six-c (766-c), supplement to the code, 1913 (C. C. sec. 3796); section eight hundred forty-three (843) of the code (S. C. C. sec. 3957); section four (4), chapter two hundred eighty-eight (288), acts of the Thirty-eighth (38th) General Assembly, as amended by section one (1), chapter eighty-two (82), acts of the Thirty-ninth (39th) General Assembly (S. C. C. sec. 3997); section twelve (12), chapter two hundred eighty-eight (288), acts of the Thirty-eighth (38th) General Assembly; as amended by section two (2), chapter eighty-two (82), acts of the Thirty-ninth (39th) General Assembly (S. C. C. sec. 4005); section nine hundred six (906) of the code (C. C. sec. 4061); section nine hundred eighty-seven (987) of the code (C. C. sec. 4403); section nineteen hundred fifty-three (1953) of the code (C. C. sec. 4795); section nineteen hundred eighty-nine-a twenty-seven (1989-a27), supplement to the code, 1913 (C. C. sec. 4875); section four hundred three (403), supplement to the code, 1913 (C. C. sec. 3261); and section one (1), chapter two hundred thirty-nine (239), acts of the Thirty-eighth (38th) General Assembly (C. C. sec. 3309), relating to the rate of interest on bonds.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 533, by Senator Brookhart, a bill for an act to amend section five hundred eleven (511), supplement to the code, 1913 (C. C. sec. 3206), relating to fees of the sheriff for collecting money.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 534, by Senator Holdoegel, a bill for an act to amend section eighteen hundred seventy-seven (1877) of the code of 1897 by adding thereto provisions for the examination, at the instance of receivers appointed thereunder, of persons suspected of having taken wrongful possession of any of the effects of a State or Savings Bank, or of having had such effects under their control, and providing that such persons may be required to appear and submit to such examination, and for the enforcement of orders made in the course of proceedings.

Read first and second times and referred to committee on judiciary No. 1.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports it has examined and finds correctly enrolled House Files Nos. 70, 106, 311, 333, 465 and House Joint Resolution No. 5.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

REPORTS OF COMMITTEES

Senator Scott, from the committee on insurance, submitted the following report:

MR. PRESIDENT: Your committee on insurance to whom was referred Senate File No. 449, a bill for an act amending section seventeen hundred and ten (1710), supplement to the code, 1913, as amended by section five (5), chapter four hundred twenty-eight (428), laws of the Thirty-seventh General Assembly (37th G. A.) and section three (3), chapter three hundred forty-eight (348), laws of the Thirty-eighth General Assembly (38th G. A.) and section one (1), chapter two hundred sixty-one (261), laws of the Thirty-ninth General Assembly (39th G. A.) (C. C. 5628) relating to insurance, other than life, beg leave to report it has had the same under consideration and recommends the same do pass.

RAY P. SCOTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to whom was referred Senate File No. 402, a bill for an act to amend section two thousand four hundred seventy-seven-m-forty-nine (2477-m49) of the supplement to the code, 1913, (C. C. 858), relating to workmen's compensation, beg leave to report it has had the same under consideration and recommends the same do pass.

RAY P. SCOTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to whom was referred Senate File No. 409, a bill for an act to amend the law as it appears in section thirteen (13), chapter one hundred eighty (180), acts of the Thirty-seventh General Assembly (C. C. sec. 5720), relating to the annual taxation of premiums collected from subscribers under inter-insurance contracts, beg leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

That the period (.) following the word, "savings," in the last line of section thirteen (13), chapter one hundred eighty (180), acts of the Thirty-seventh General Assembly (C. C. sec. 5720) be stricken and a comma (,) substituted therefor, and the following added: "and after deducting the amount actually paid for losses on property located within this state or on claims arising within this state, and the amount returned upon cancelled policies and rejected applications covering property situated or on business done within this state."

Also that a comma (,) be inserted after the word, "organization", in line eight (8) of section one (1) of said bill; and also that a comma (,) be inserted after the word, "organization," in line nine (9) of said bill.

RAY P. SCOTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to whom was referred House File No. 206, a bill for an act to amend, revise, and codify section five thousand four hundred seventy-eight (5478) of the supplement to the compiled code of Iowa, relating to life insurance companies, beg leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by inserting the following after the comma after the word "cash" in line four of section one (1), "and not less than one hundred thousand dollars (\$100,000) of surplus paid up in cash".

RAY P. SCOTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to whom was referred Senate File No. 447, a bill for an act to amend section sixteen hundred ninety-six (1696) of the code 1897 (C. C. 5619), relating to the elections of

directors of insurance companies other than life insurance companies, beg leave to report it has had the same under consideration and recommends the same do pass.

RAY P. SCOTT, *Chairman*.

Ordered passed on file.

Senator Brookhart, 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. 430, a bill for an act authorizing the trial court to hold a person acquitted of a crime when the evidence shows that such person is guilty of another and different crime, so that such matter may be submitted to the grand jury, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred House File No. 359, a bill for an act conferring certain powers on peace officers, extradition agents and officers of penal institutions from other states while transporting persons in their custody within this state, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 417, a bill for an act to amend section one (1), chapter eighty-eight (88) of the Thirty-eighth General Assembly (C. C. sec. 7806), relating to notice for probating wills, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the word and figure "thirty-eight (38)" appearing in line one (1) of section one (1) thereof, and inserting in lieu thereof the word and figure "eighty-eight (88)".

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred House File No. 226, a bill for an act to amend, revise and codify section seven thousand eighty-five (7085) of the compiled code of Iowa, relating to parties to actions, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Senator Slosson, from the committee on motor vehicles, submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to whom was referred Senate File No. 491, a bill for an act to amend section ten (10) of chapter two hundred seventy-five (275), acts of the Thirty-eighth General Assembly (C. C. 3053) by providing for a refund of license fee upon such cars as are destroyed or stolen and not recovered during the year for which registration was paid, beg leave to report it has had the same under consideration and recommends the same do pass.

J. M. SLOSSON, *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 bills in which the concurrence of the House was asked:

Senate File No. 382, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the City of Council Bluffs, Iowa.

Senate File No. 383, a bill for an act to legalize certain warrants issued by the board of supervisors of Pocahontas County, Iowa.

Senate File No. 79, a bill for an act to amend, revise and codify chapter four (4) of title twenty-three (23) of the compiled code of Iowa, relating to homestead.

Senate File No. 118, a bill for an act to amend, revise and codify sections two thousand seven hundred sixteen (2716) and two thousand seven hundred twenty-five (2725) of the compiled code of Iowa, relating to education.

Senate File No. 157, a bill for an act to amend, revise and codify sections three thousand five hundred eighty-four (3584) and three thousand five hundred eighty-seven (3587) of the compiled code of Iowa, relating to municipal corporations.

Senate File No. 341, a bill for an act to amend section sixteen hundred ninety-nine (1699) supplement to code 1913, (C. C. 5622) and to authorize any company organized under chapter four (4) of title nine (9) of the code of 1897 and amendments thereto, to invest its capital and funds in federal farm loan bonds.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 96, a bill for an act to amend, revise and codify sections two thousand four hundred forty-one (2441) to two thousand four hundred forty-three (2443), inclusive, of the compiled code of Iowa, relating to the school for the deaf.

Also, that the house has passed the following bills in which the concurrence of the Senate is asked:

House File No. 357, a bill for an act to repeal paragraph seven (7) of section 1, chapter 49, acts of the Thirty-seventh General Assembly (C. C. 3206), relating to the fees of the sheriff for collecting and paying over money.

House File No. 175, a bill for an act to amend, revise and codify sections four thousand twelve (4012) to four thousand twenty-two (4022), inclusive, of the compiled code of Iowa, relating to municipal corporations.

House File No. 408, a bill for an act to provide for the creation of a lien for advancements made by junior lien holders.

House File No. 353, a bill for an act to amend chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly, relating to the surfacing of roads belonging to secondary road system within cities and towns.

House File No. 405, a bill for an act to amend section twenty-two hundred forty-seven (2247) of the supplement to the code, 1913, (C. C. sec. 3300) relating to the levy of an assessment for the support of the poor.

House File 202, a bill for an act to amend, revise and codify sections fifty-three hundred seventy-seven (5377) and fifty-three hundred seventy-eight (5378) of the compiled code of Iowa, relating to corporate shares of stock.

House File No. 406, a bill for an act to legalize \$75,000.00 school building bonds dated November 1, 1921, of the consolidated independent school district of Treynor, Pottawattamie county, Iowa.

House File No. 427, a bill for an act requiring counties to give the preference to certain roads in establishing the primary road system of the county.

House File No. 270, a bill for an act to make an emergency appropriation for the construction of an armory to take the place of the one destroyed by fire at the Iowa State College of Agriculture and Mechanic Arts.

House File No. 315, a bill for an act to repeal section nineteen hundred eighty-nine-a sixty-one (1989-a61), supplemental supplement to the code, 1915 (C. C. sec. 4918), and to enact a substitute therefor, and to amend section nineteen hundred eighty-nine-a sixty-three (1989-a63), supplemental supplement to the code, 1915 (C. C. sec. 4920), relating to the placing of all drainage or levy districts under the management and control of trustees.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 357, a bill for an act to repeal paragraph seven (7) of section 1, chapter 49, acts of the Thirty-seventh General Assembly, (C. C. 3206) relating to the fees of the sheriff for collecting and paying over money.

Read first and second time and referred to committee on county and township affairs.

House File No. 408, a bill for an act to provide for the creation of a lien for advancements made by junior lien holders.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 175, a bill for an act to amend, revise and codify sections four thousand twelve (4012) to four thousand twenty-two (4022), inclusive, of the compiled code of Iowa, relating to municipal corporations.

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

House File No. 353, a bill for an act to amend chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly, (C. C. chapter 7, title XI) as amended, relating to the construction, improvement, and maintenance of highways and providing for the surfacing of roads belonging to secondary road system within cities and towns.

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

House File No. 405, a bill for an act to amend section twenty-two hundred forty-seven (2247) of the supplement to the code, 1913, (C. C. sec. 3300) relating to the levy of an assessment for the support of the poor.

Read first and second time and referred to committee on ways and means.

House File No. 202, a bill for an act to amend, revise and codify sections fifty-three hundred seventy-seven (5377) and fifty-three hundred seventy-eight (5378) of the compiled code of Iowa, relating to corporate shares of stock.

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

House File No. 406, a bill for an act to legalize \$75,000.00 school building bonds dated November 1st, 1921, of the consolidated independent school district of Treynor, Pottawattamie county, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 427, a bill for an act requiring counties to give the preference to certain roads in establishing the primary road system of the county.

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

House File No. 270, a bill for an act to make an emergency appropriation for the construction of an armory to take the place of the one destroyed by fire at the Iowa State College of Agriculture and Mechanic Arts.

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

House File No. 315, a bill for an act to repeal section nineteen hundred eighty-nine-a sixty-one (1989-a61), supplemental supplement to the code, 1915 (C. C. sec. 4918), and to enact a substitute therefor, and to amend section nineteen hundred eighty-nine-a sixty-three (1989-a63), supplemental supplement to the code, 1915 (C. C. sec. 4920), relating to the placing of all drainage or levy districts under the management and control of trustees.

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

HOUSE AMENDMENTS CONSIDERED

Senator Mantz called up for consideration Senate File 96 amended by the House and moved that the Senate concur in the following House amendment:

Amend Senate File No. 96 by striking out of lines one (1) and two (2) the following, "proficient in the use of the sign language, and in lip reading" and inserting in lieu thereof the following, "a trained and experienced educator of the deaf".

On the question "Shall the Senate concur?" the vote was:

Ayes, 34.

Abben	Gilchrist	Nelson	Slosson
Banta	Goodwin	Newberry	Smith
Bergman	Hartman	Price	Snook
Brookhart	Holdoegel	Reed	Stoddard
Brookins	Horchem	Rees	Tuck
Caldwell	Johnston	Scott	White
Cessna	Kimberly	Shaff	Wichman
Ethell	Mantz	Shane	
Fulton	Mead	Shinn	

Nays, 1.

Buser

Absent or not voting, 15

Adams	Campbell	Hale	Perkins
Baird	Chase	Haskell	Romkey
Bowman	Darting	McIntosh	Thurston
Browne	Dutcher	Olson	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 433 and 383.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

THIRD READING OF BILLS

On motion of Senator Ethell House File No. 150, a bill for an act to amend, revise and codify sections thirty-four hundred one (3401) to thirty-four hundred eight (3408), inclusive, and sections thirty-four hundred eleven (3411), thirty-four hundred fourteen (3414), thirty-four hundred fifteen (3415), thirty-four hundred eighteen (3418), thirty-four hundred twenty (3420), and thirty-four hundred twenty-three (3423) of the compiled code of Iowa, relating to jails, 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:

Amend by striking from line one (1) of sub-section five (5) of section four (4) the word "To" at the beginning of the sub-section; also by striking out the small letter "k" and inserting a capital "K" in the word "keep" in said line.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 33.

Abben	Gilchrist	Newberry	Smith
Banta	Goodwin	Price	Snook
Bergman	Hartman	Reed	Stoddard
Brookins	Holdoegel	Rees	Tuck
Buser	Horchem	Romkey	White
Caldwell	Johnston	Scott	Wichman
Dutcher	Mantz	Shane	
Ethell	Mead	Shinn	
Fulton	Nelson	Slosson	

Nays, none.

Absent or not voting, 17.

Adams	Browne	Darting	Perkins
Baird	Campbell	Hale	Shatt
Bowman	Cessna	Haskell	Olson
Brookhart	Chase	Kimberly	McIntosh
			Thurston

The amendment was adopted.

The bill was read for information.

Senator Ethell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Abben	Gilchrist	Mead	Slosson
Brookhart	Goodwin	Nelson	Smith
Brookins	Hartman	Newberry	Snook
Buser	Holdoegel	Reed	Stoddard
Caldwell	Horchem	Rees	Tuck
Dutcher	Johnston	Shaff	Wichman
Ethell	Kimberly	Shane	
Fulton	Mantz	Shinn	

Nays, none.

Absent or not voting, 20.

Adams	Browne	Hale	Price
Baird	Campbell	Haskell	Romkey
Banta	Cessna	McIntosh	Scott
Bergman	Chase	Olson	Thurston
Bowman	Darting	Perkins	White

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

On motion of Senator Horchem Senate File No. 443, a bill for an act to amend section one thousand three hundred three (1303) of the supplement to the code, 1913, relating to the duty of the board of supervisors in counties of sixty-five thousand (65,000) or less, to make a levy, upon the assessed value of the taxable property in said counties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Goodwin 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 paragraph two (2) of section one thousand, three hundred three (1303), supplemental supplement to the code, 1915, as

amended by section one (1), chapter six (6), acts of the Thirty-seventh General Assembly also by section fifty-four (54), chapter two hundred thirty-seven (237) acts of the Thirty-eighth General Assembly and by section one (1), chapter three hundred fifty-five (355), acts of the Thirty-eighth General Assembly (C. C. 4624) be amended by striking out all of said paragraph two (2) down to and including the word "rate" in line nine (9) and inserting in lieu thereof the following:

"2. For ordinary county revenue six mills on a dollar with a poll tax of fifty cents on each male resident over twenty-one years of age"

Also amend the title of Senate File No. 443 to read as follows:

"An act to amend section one thousand three hundred three (1303), supplemental supplement to the code, 1915, as amended by chapter six, acts of the Thirty-seventh General Assembly and chapters two hundred thirty-seven (237) and three hundred fifty-five (355), acts of the Thirty-eighth General Assembly relating to levy for ordinary county revenue."

Senator Brookhart raised the point of order that the amendment was the matter under discussion, and it struck out all of the original bill.

The president held the point well taken.

The bill was read for information.

Senator Buser moved that the amendment and the bill be referred to the committee.

Senator Buser withdrew his motion.

On motion of Senator Horchem the amendment was ordered printed in the Journal, and further action deferred.

On motion of Senator Horchem House File No. 263, a bill for an act to repeal chapter one hundred ten, (110) acts of the Thirty-ninth General Assembly (S. C. C. 3044-a1, 3044-a2), relative to standard widths of sleighs and sleds, 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 the bill all of section 2.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 31.

Abben
Bergman
Bowman

Brookhart
Caldwell
Cassena

Ethell
Fulton
Gilchrist

Goodwin
Hartman
Holdoegel

Horchem	Nelson	Shane	Stoddard
Johnston	Olson	Shinn	Thurston
Kimberly	Price	Slosson	Tuck
Mantz	Reed	Smith	White
Mead	Scott	Snook	

Nays, 1.

Wichman

Absent or not voting, 18.

Adams	Buser	Hale	Rees
Baird	Campbell	Haskell	Romkey
Banta	Chase	McIntosh	Shaff
Brookins	Darting	Newberry	
Browne	Dutcher	Perkins	

The amendment was adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Abben	Cessna	Horchem	Scott
Banta	Dutcher	Johnston	Shane
Bergman	Ethell	Kimberly	Shinn
Lowman	Fulton	Mantz	Smith
Brookhart	Gilchrist	Nelson	Snook
Brookins	Goodwin	Olson	Stoddard
Buser	Hartman	Rees	Thurston
Caldwell	Holdoegel	Romkey	Tuck

Nays, 4.

Mead	Price	White	Wichman
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Absent or not voting, 14.

Adams	Chase	McIntosh	Shaff
Baird	Darting	Newberry	Slosson
Browne	Hale	Perkins	
Campbell	Haskell	Reed	

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

BILLS SENT TO THE GOVERNOR

Senator Gilchrist from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 23rd day of February, 1923, sent to the Governor for his approval, Senate File Nos. 360, 304, 358, 159, 433 and 383.

F. C. GILCHRIST, *Chairman*.

Passed on file.

The Journal of February 22d was corrected and approved.

On motion of Senator Shinn the Senate adjourned until 10 a. m. March 6th.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, March 6, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. Stookesberry, of Bloomfield, Iowa.

On motion of Senator Ethell rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Abben from Clara Barton Circle of the Ladies of G. A. R. protesting House File No. 341 relative to soldiers' tax exemption. Military affairs.

By Senator Abben from Grundy Post No. 349, American Legion, Grundy Center, protesting the proposed repeal of the soldiers' tax exemption law. Military affairs.

By Senator Shane from the Kiwanis Club of Ottumwa urging acceptance of the gift to the university hospital. Appropriations.

By Senator Stoddard from the Woodbury County Medical Association urging acceptance of the gift to the university hospital. Appropriations.

By Senator Brookhart from the United Presbyterian Sunday School of Winfield endorsing city boards of public welfare and state standardization of moving pictures. Judiciary No. 1.

By Senator Shane from employees of Pallister Bros., cigar manufacturers of Ottumwa, protesting the proposed tax on cigars, tobacco, and snuff. Ways and means.

By Senator Shane from employees of the Dane Manufacturing Co. of Ottumwa requesting support for Senate File No. 424 exempting employees' benefit associations from chapters four to nine of the code, relating to insurance. Insurance.

By Senator Gilchrist from citizens of Pocahontas county urging opposition to any measure extending county bonding limitations. County and township affairs.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Shinn for the day on request of Senator Smith.

INTRODUCTION OF BILLS

Senate File No. 535, by Senator Ethell, a bill for an act to amend section four hundred thirty-three (433) of the code (C. C. 3345), relating to the burial of indigent soldiers and sailors.

Read first and second times and referred to committee on military affairs.

Senate File No. 536, by Senator Thurston, a bill for an act to make an appropriation for the purpose of indemnifying Joe Banoch for damages occasioned by reason of sustaining a loss of three fingers while engaged in performing his usual and ordinary duties in the state reformatory at Anamosa.

Read first and second times and referred to committee on claims.

Senate File No. 537, by Senator Smith, a bill for an act to amend chapter two hundred ninety (290) acts Thirty-seventh General Assembly, as amended by chapter three hundred thirty-seven (337) acts Thirty-eighth General Assembly, relating to vocational education.

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

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate Files 383, 358, 433, 159, 304, and 360.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendment to House File 263.

Also, that the House has concurred in Senate amendment to House File 38.

Also, that the House has concurred in Senate amendment to House File 150.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 141, a bill for an act to amend, revise and codify sections thirty-three hundred two (3302) and thirty-three hundred four (3304) of the compiled code of Iowa, relating to county homes.

Also, 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 to legalize certain warrants issued by the Board of Supervisors of Wapello County, Iowa.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 365, a bill for an act repealing section two thousand seven hundred twenty-seven-a forty-three (2727-a43) supplement to the code, 1913 (C. C. 1889), relating to the disbursement of funds for institutions under the state board of control, and to enact a substitute therefor.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 372, a bill for an act to repeal the law as it appears in section six (6), chapter thirty-seven (37), acts of the Thirty-eighth General Assembly (S. C. C. 2457), and section three (3), chapter two hundred ninety-seven (297) acts of the Thirty-ninth General Assembly (S. C. C. 2457), and to enact substitutes therefor; and to amend sections eleven (11) (C. C. 2469) and twelve (12) (C. C. 2470) chapter one hundred sixty-five (165), acts of the Thirty-eighth General Assembly, and sections two (2) (C. C. 2038) and seven (7) (C. C. 2159), chapter thirty-seven (37), acts of the Thirty-eighth General Assembly; relating to the support funds of the various state institutions under the supervision of the board of control of state institutions.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 369, a bill for an act to legalize an election held on the 30th day of June, 1922, in the town of Denver, County of Bremer, State of Iowa, for the purpose of voting on the proposition to erect a town hall at a cost not to exceed \$7,000 00 and to legalize all acts and proceedings in respect to said election and in respect to the issuance of bonds in said sum of said town.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 489, a bill for an act authorizing the issuance of a patent to certain lands in Dallas county, Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 426, a bill for an act to amend section one (1) of chapter one hundred twenty (120) acts of the Thirty-ninth General Assembly, relating to the organization, regulation, taxation and operation of mutual insurance associations.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 354, a bill for an act to amend the law as it appears in section two (2) of chapter three hundred eight (308), acts of the Thirty-seventh General Assembly (compiled code, section 2630), as amended by chapter ninety-eight (98) acts of the Thirty-ninth (39th) General Assembly, relating to the education of deaf children.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 477, a bill for an act to amend section six hundred forty-two (642), of the code, (C. C. sec. 3511), relating to elections in cities and towns.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 530, a bill for an act to legalize the incorporation, including the notice of incorporation and the publication thereof, and corporate acts and proceedings relating to the incorporation of the B. & K. Coal Company of Burlington, Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Horchem Senate File No. 443, a bill for an act to amend section one thousand three hundred three (1303) of the supplement to the code, 1913, relating to the duty of the board of supervisors in counties of sixty-five thousand (65,000) or less, to make a levy, upon the assessed value of the taxable property in said counties, was taken up and considered, the committee having reported it out without recommendation.

Senator Goodwin 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 paragraph two (2) of section one thousand, three hundred three (1303), supplemental supplement to the code, 1915, as amended by section one (1), chapter six (6), acts of the Thirty-seventh General Assembly also by section fifty-four (54), chapter two hundred thirty-seven (237) acts of the Thirty-eighth General Assembly and by section one (1), chapter three hundred fifty-five (355), acts of the Thirty-eighth General Assembly (C. C. 4624) be amended by striking out all of said paragraph two (2) down to and including the word “rate” in line nine (9) and inserting in lieu thereof the following:

“2. For ordinary county revenue, six (6) mills on a dollar with a poll tax of fifty cents on each male resident over twenty-one years of age”

Also amend the title of Senate File No. 443 to read as follows:

“An act to amend section one thousand three hundred three (1303), supplemental supplement to the code, 1915, as amended by chapter six (6), acts of the Thirty-seventh General Assembly and chapters two hundred thirty-seven (237) and three hundred fifty-five (355), acts of the Thirty-eighth General Assembly relating to levy for ordinary county revenue.”

By unanimous consent on request of Senator Goodwin the words “not to exceed” were inserted between the words revenue and six in the amendment.

The amendment was adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 32

Abben	Gilchrist	Mantz	Shane
Adams	Goodwin	Mead	Slosson
Baird	Hale	Nelson	Smith
Bergman	Haskell	Newberry	Snook
Bowman	Holdoegel	Price	Stoddard
Brookhart	Horchem	Reed	Thurston
Buser	Johnston	Rees	Tuck
Darting	Kimberly	Shaff	Wichman

Nays, 3

Campbell	Fulton	White
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Absent or not voting, 14.

Banta	Cessna	McIntosh	Scott
Brookins	Dutcher	Olson	Shinn
Browne	Ethell	Perkins	
Caldwell	Hartman	Romkey	

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

On motion of Senator Shane Senate File No. 511, a bill for an act to repeal section two thousand five hundred eighty-four (2584) supplemental supplement to the code, 1915, relating to the appointment of the commissioners of pharmacy, the powers and duties thereof, and to enact a substitute therefor, a committee bill, was taken up and considered.

Senator Price raised the point of order that Senator Gilchrist's interrogation was an argument. The President held the point well taken.

On request of Senator Shane Senate File 511 was made a special order for Thursday, at 10:30 a. m.

On motion of Senator Mead Senate File No. 408, a bill for an act to amend chapter three hundred ninety-six, acts of the 37th General Assembly, as amended by chapter 87, acts of the 39th General Assembly, (C. C. 1128) relating to the trapping of fur bearing animals and providing for the protection of skunks, 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 thereto the following:

"Also by striking out the word 'October' at the end of chapter 87, of the acts of the 39th General Assembly and inserting in lieu thereof the word 'November'."

The bill was read for information.

Senator Mead moved that 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	Cessna	Johnston	Snook
Baird	Darting	Kimberly	Stoddard
Banta	Dutcher	Mead	Thurston
Bergman	Ethell	Nelson	Tuck
Brookhart	Fulton	Newberry	White
Brookins	Goodwin	Price	Wichman
Browne	Hartman	Reed	
Buser	Haskell	Romkey	
Campbell	Horchem	Shane	

Nays, 6

Abben	Hale	Rees	Slosson
Gilchrist	Mantz		

Absent or not voting, 10

Bowman	McIntosh	Scott	Smith
Caldwell	Olson	Shaff	
Holdoegel	Perkins	Shinn	

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

On motion of Senator Stoddard Senate File No. 402, a bill for an act to amend section two thousand four hundred seventy-seven-m-forty-nine (2477-m49) of the supplement to the code, 1913, (C. C. 858), relating to workmen's compensation, 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 reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 29

Abben	Bowman	Darting	Goodwin
Adams	Brookhart	Dutcher	Hale
Baird	Buser	Ethell	Haskell
Banta	Campbell	Fulton	Holdoegel

Horchem
Kimberly
Mead
Nelson

Newberry
Price
Shane
Smith

Snook
Stoddard
Thurston
White

Wichman

Nays, 5

Bergman
Browne

Cessna

Gilchrist

Johnston

Absent or not voting, 15.

Brookins
Caldwell
Hartman
McIntosh

Mantz
Olson
Perkins
Reed

Rees
Romkey
Scott
Shaff

Shinn
Slosson
Tuck

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

On motion of Senator Dutcher, Senate File No. 409, a bill for an act to amend the law as it appears in section thirteen (13), chapter one hundred eighty (180), acts of the Thirty-seventh General Assembly (C. C. sec. 5720), relating to the annual taxation of premiums collected from subscribers under inter-insurance contracts, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following amendments were adopted:

Amend by striking the period (.) following the word, "savings," in the last line of section thirteen (13), chapter one hundred eighty (180), acts of the Thirty-seventh General Assembly (C. C. sec. 5720) and inserting in lieu thereof a comma (,) and adding the following: "and after deducting the amount actually paid for losses on property located within this state or on claims arising within this state, and the amount returned upon cancelled policies and rejected applications covering property situated or on business done within this state."

Also amend by inserting a comma (,) after the word "organization," in line 8 of section 1; and by inserting a comma (,) after the word "organization" in line 9 of said bill.

On motion of Senator Dutcher Senate File No. 409 was rereferred to the committee on insurance.

On motion of Senator Bergman, Senate File No. 447, a bill for an act to amend section sixteen hundred ninety-six (1696) of the code 1897 (C. C. 5619), relating to the elections of directors of insurance companies other than life insurance companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information:

Senator Bergman moved that the reading just had be considered the third reading, which motion prevailed.

. On the question "Shall the bill pass?" the vote was:

Ayes, 40

Abben	Campbell	Holdoegel	Romkey
Adams	Cessna	Horchem	Shaff
Balrd	Darting	Johnston	Shane
Banta	Ethell	Kimberly	Slosson
Bergman	Fulton	McIntosh	Smith
Bowman	Gilchrist	Mantz	Snook
Brookhart	Goodwin	Mead	Stoddard
Brookins	Hale	Nelson	Tuck
Browne	Hartman	Newberry	White
Buser	Haskell	Price	Wichman

Nays, none

Absent or not voting, 9

Caldwell	Perkins	Scott	Thurston
Dutcher	Reed	Shinn	
Olson	Rees		

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

On motion of Senator Gilchrist Senate File No. 430, a bill for an act authorizing the trial court to hold a person acquitted of a crime when the evidence shows that such person is guilty of another and different crime, so that such matter may be submitted to the grand jury, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The President held that Senator Price had spoken once on the bill and was therefore not allowed any more time according to Cushing.

Senator Price said that until the previous question was ordered and the sponsor of the bill was closing the debate any Senator could speak at any time.

The President held the point not well taken according to Rule 110 in Cushing which says, "Under general parliamentary law in the absence of any special rule or order on the subject, no member may speak in debate more than once on the same question."

Senator Gilchrist asked that the Senate permit him to waive any rights of his which would preclude Senator Price from

speaking twice and Senator Price was heard.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 33

Abben	Dutcher	McIntosh	Snook
Baird	Fulton	Mantz	Stoddard
Banta	Gilchrist	Mead	Thurston
Bergman	Hale	Newberry	Tuck
Bowman	Haskell	Reed	White
Brookhart	Holdoegel	Rees	Wichman
Brookins	Horchem	Shaff	
Campbell	Johnston	Slosson	
Darting	Kimberly	Smith	

Nays, 8

Adams	Buser	Hartman	Price
Browne	Ethell	Nelson	Shane

Absent or not voting, 8

Caldwell	Goodwin	Perkins	Scott
Cessna	Olson	Romkey	Shinn

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

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

Senator Price asked for a division of the motion.

The motion to lay on the table prevailed.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

The roll was called to ascertain if there was a quorum present.

The roll call disclosed the presence of a quorum.

THIRD READING OF BILLS

On motion of Senator Baird House File No. 359, a bill for an act conferring certain powers on peace officers, extradition

agents and officers of penal institutions from other states while transporting persons in their custody within the state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Baird moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38

Abben	Cessna	Kimberly	Shane
Adams	Darting	McIntosh	Slosson
Baird	Ethell	Mantz	Stoddard
Banta	Fulton	Mead	Thurston
Bergman	Gilchrist	Nelson	Tuck
Brookhart	Goodwin	Newberry	White
Brookins	Hale	Perkins	Wichman
Buser	Haskell	Price	
Caldwell	Holdoegel	Romkey	
Campbell	Horchem	Scott	

Nays, none.

Absent or not voting, 11

Bowman	Hartman	Reed	Shinn
Browne	Johnston	Rees	Smith
Dutcher	Olson	Shaff	Snook

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

Senator Baird moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Baird Senate File No. 351 was withdrawn from further consideration.

On motion of Senator Brookhart Senate File No. 417, a bill for an act to amend section one (1), chapter eighty-eight (88) of the Thirty-eighth General Assembly (C. C. Sec. 7806), relating to notice for probating wills, 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 and figure "thirty-eight (38)" appearing in line one (1) of section one (1) thereof, and inserting in lieu thereof the word and figure "eighty-eight (88)".

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

On the question "Shall the bill pass?" the vote was:

Ayes, 41

Abben	Darting	Kimberly	Shane
Adams	Dutcher	McIntosh	Slosson
Baird	Ethell	Mantz	Snook
Banta	Fulton	Mead	Stoddard
Bergman	Gilchrist	Newberry	Thurston
Bowman	Goodwin	Perkins	Tuck
Brookhart	Hale	Price	White
Brookins	Haskell	Reed	Wichman
Caldwell	Holdoegel	Rees	
Campbell	Horchem	Romkey	
Cessna	Johnston	Scott	

Nays, 1

Buser

Absent or not voting, 7

Browne	Nelson	Shaff	Smith
Hartman	Olson	Shinn	

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

By unanimous consent on request of Senator Price Senate File 417 was amended as follows:

Amend by adding the following as Section 2:

"Section 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 News, newspapers published in Des Moines, Iowa."

On motion of Brookhart House File No. 226, a bill for an act to amend, revise and codify section seven thousand eighty-five (7085) of the compiled code of Iowa, relating to parties to actions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 40

Abben	Brookins	Fulton	Holdoegel
Adams	Browne	Gilchrist	Horchem
Baird	Caldwell	Goodwin	Johnston
Banta	Campbell	Hale	Kimberly
Bergman	Dutcher	Hartman	McIntosh
Brookhart	Ethell	Haskell	Mantz

Mead	Reed	Shane	Thurston
Nelson	Rees	Slosson	Tuck
Newberry	Scott	Snook	White
Perkins	Shaff	Stoddard	Wichman

Nays, none

Absent or not voting, 9

Bowman	Darting	Price	Shinn
Buser	Olson	Romkey	Smith
Cessna			

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

On motion of Senator McIntosh Senate File No. 512, a bill for an act to amend section two thousand three hundred eighty-two (2382) of the supplemental supplement to the code of Iowa, 1915, as amended by chapter two hundred forty-eight (248) section one (1), acts of the Thirty-eighth General Assembly, (C. C. 914) prohibiting the manufacture, possession or use of instruments or materials used in the manufacture of intoxicating liquors, a committee bill, was taken up and considered.

Senator Shane moved that the bill be rereferred to the committee on suppression of intemperance.

Senator Shane withdrew his motion.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by inserting the word "use" after the word "for" in line 8.

The amendment was adopted.

The bill was read for information.

Senator McIntosh moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28

Abben	Campbell	Holdoegel	Romkey
Baird	Cessna	Johnston	Scott
Bowman	Darting	McIntosh	Snook
Brookhart	Fulton	Nelson	Stoddard
Brookins	Gilchrist	Newberry	Thurston
Browne	Goodwin	Perkins	Tuck
Caldwell	Haskell	Price	Wichman

Nays, 17

Banta	Hartman	Reed	Smith
Bergman	Horchem	Rees	White
Buser	Kimberly	Shaff	
Dutcher	Mantz	Shane	
Hale	Mead	Slosson	

Absent or not voting, 4

Adams	Ethell	Olson	Shinn
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Brookhart moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator McIntosh, Senate File No. 290, a bill for an act to repeal section two thousand four hundred sixty-one-m (2461-m) of the supplemental supplement to the code, 1915, (C. C. sec. 1024) and to enact a substitute therefor defining persistent violators of the intoxicating liquor laws and fixing penalties for such violations, 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 fifth (5) line, section one (1), after the word "convicted" the words "or having entered a plea of guilty".

Also amend by striking out of the ninth (9) line of section one (1) the words "tried and" after the word "be" and insert after the word "convicted" in the same line "or enter a plea of guilty".

The bill was read for information.

Senator McIntosh moved that the reading just had be considered the third reading, which motion prevailed .

On the question "Shall the bill pass?" the vote was:

Ayes, 40

Abben	Caldwell	Holdoegel	Scott
Adams	Campbell	Johnston	Shaff
Baird	Darting	McIntosh	Shane
Banta	Dutcher	Mantz	Slosson
Bergman	Ethell	Nelson	Smith
Bowman	Fulton	Newberry	Snook
Brookhart	Gilchrist	Perkins	Stoddard
Brookins	Goodwin	Price	Tuck
Browne	Hartman	Reed	White
Buser	Haskell	Romkey	Wichman

Nays, none

Absent or not voting, 9

Cessna	Kimberly	Olson	Shinn
Hale	Mead	Rees	Thurston
Horchem			

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

HOUSE AMENDMENTS CONSIDERED

Senator Ethell called up Senate File No. 141, amended by the House, and moved that the Senate concur in the following House amendments:

Amend Senate File 141 by striking out of line four (4) section two (2) thereof the words "and county farm, separately" and inserting in lieu thereof the words "or county farm,".

Amend further by striking from line six (6) of section two (2) the words "of each" and inserting in lieu thereof the word "thereof".

On the question "Shall the Senate concur?" the vote was:

Ayes, 44

Abben	Darting	Kimberly	Shaff
Adams	Dutcher	McIntosh	Shane
Baird	Ethell	Mantz	Shinn
Banta	Fulton	Mead	Slosson
Bergman	Gilchrist	Nelson	Smith
Rowman	Goodwin	Newberry	Snook
Brookhart	Hale	Perkins	Stoddard
Brookins	Hartman	Price	Thurston
Browne	Haskell	Rees	Tuck
Caldwell	Horchem	Romkey	White
Campbell	Johnston	Scott	Wichman

Nays, none

Absent or not voting, 5

Buser	Holdoegel	Olson	Reed
Cessna			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

The Journal of February 23d was corrected and approved.

STATUS OF CODE COMMISSION BILLS

MR. PRESIDENT: The following code commission bills have been passed by the House and Senate and approved by the Governor: 1, 36, 37, 48, 70, 73, 80, 81, 83, 103, 106, 132, 146, 152, 159, 162, 204, 223, 233, 235, 243, 244, 249, 259. Total, 24.

The following code commission bills have been passed by both houses but not acted upon by the Governor: 38, 79, 96, 113, 150, 157, 232, 141. Total, 8.

The following code commission bills have been passed by the Senate and no action has been taken by the House: 11, 59, 67, 95, 131, 143, 147, 161, 181, 225. Total, 10.

The following code commission bills have been passed by the House and no action has been taken by the Senate: 2, 10, 16, 52, 56, 57, 61, 78, 82, 98, 104, 116, 120, 122, 126, 136, 175, 194, 195, 196, 202, 206, 224, 226, 228, 248, 252. Total, 27.

The following code commission bills have been indefinitely postponed: 49, 76, 219, 242. Total, 4.

The following code commission bill was passed by the Senate, passed by the House with amendment, and the Senate refused to concur in the amendment: 227. Total, 1.

The following code commission bill has been passed by the Senate and is now pending on motion to reconsider: 94. Total, 1.

The following code commission bills have been re-referred to committees and are now therein pending: 5, 39, 166, 222, 239. Total, 5.

The following code commission bills have been recommended by their respective committees for passage: 58, 93, 101. Total, 3.

The following code commission bills have been returned to their respective committees: 43, 255. Total, 2.

The following code commission bills have not been acted upon either by the Senate, House, or committees thereof: 3, 4, 6, 7, 8, 9, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 40, 41, 42, 44, 45, 46, 47, 50, 51, 53, 54, 55, 60, 62, 65, 66, 68, 69, 71, 72, 74, 75, 77, 84, 85, 86, 87, 88, 89, 90, 91, 92, 97, 99, 100, 102, 108, 105, 107, 109, 110, 111, 112, 114, 115, 117, 118, 119, 121, 123, 125, 127, 128, 129, 130, 133, 134, 135, 137, 138, 139, 140, 142, 144, 145, 148, 149, 151, 153, 154, 155, 156, 158, 160, 163, 164, 165, 167, 168, 169, 170, 171, 172, 173, 174, 176, 177, 178, 179, 180, 182, 183, 185, 186, 187, 188, 189, 190, 191, 192, 193, 197, 198, 200, 201, 203, 205, 207, 208, 210, 211, 212, 213, 214, 215, 218, 220, 221, 229, 230, 231, 234, 236, 237, 241, 245, 246, 247, 250, 251, 253, 254, 256, 257, 258, 260, 261, 262. Total, 165.

CHAS. M. DUTCHER, *Chairman.*
Committee on Code Revision.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File No. 511 by striking from line twelve (12) of section one (1) the word "six" and inserting in lieu thereof the word "three".

Also amend by striking the comma appearing after the word "duties" in line nineteen (19) of section one (1), and inserting the following in lieu thereof: "according to the provisions of this chapter, the same to be done without expense to the state, save the necessary blanks and stationery which shall upon requisition be furnished by the secretary of state".

FRANK SHANE.

MR. PRESIDENT: I move to amend Senate File No. 491 by inserting after the word "paid" appearing in line nine (9) of section one (1) the following: "or sold and continuously used beyond the boundaries of the state of Iowa".

Also amend by striking all that part of section one (1) after the period following the word "year" in line twelve (12), and inserting in lieu thereof the following: "The motor vehicle department is hereby authorized to make such payments according to the above provisions, when sufficient proof of such destruction by accident, theft or sale for

continuous use beyond the boundaries of the state is properly certified, approved by the county treasurer, and filed with the motor vehicle department."

J. D. BUSER.

Senator Adams, who was present for the first time for several weeks, having been very ill in the hospital, thanked the senators for their many expressions of kindness and especially for the flowers sent during his long illness.

Senator Haskell moved that a committee of three be appointed to draft suitable resolutions in commemoration of the death of Senator Price's father, which motion prevailed.

The President appointed as such committee Senators Haskell, Dutcher, and Darting.

RESOLUTION OF CONDOLENCE

Senator Haskell, from the special committee, offered the following report and moved its adoption:

Whereas, An All-Wise Providence has removed from earthly activities the beloved father of our respected Senator John R. Price.

Therefore, Be It Resolved, That the sincere sympathy of each member of this body is extended to our worthy colleague in his great bereavement, and,

Be It Further Resolved, That the secretary of the Senate is instructed to communicate this resolution to Senator John R. Price.

W. G. HASKELL,

H. A. DARTING,

CHAS. M. DUTCHER.

The report was unanimously adopted.

IN MEMORY OF SENATOR CHASE

Senator D. C. Chase, a member of the present General Assembly, having died Friday morning, March 2, President of the Senate John Hammill and Senators Gilchrist, Price, Buser and Bowman appointed by him as a special committee, attended the funeral, which was held at Webster City on Sunday, March 4th.

At the close of the session of the Senate on Tuesday, March 6, a short memorial exercise was held for Senator Chase.

On motion of Senator Gilchrist the following eulogy of Senator Chase, delivered at the funeral by Rev. George Wood, was ordered printed in the Senate Journal:

My dear Friends:

We are assembled today to show our sense of appreciation, our high regard, for the life and personality of Daniel Cady Chase. Cady, as he was generally known, was born in this city, June 18, 1859, his parents coming here one year previous. His father, Daniel D. Chase, was a prominent lawyer and district judge.

Cady was a graduate of the Webster City schools and also of the State university, where he made a brilliant record. For a time he was interested in journalism, but later was admitted to the bar and became one of its most able members.

From 1892 to his death, he was at intervals associated with the state legislature; first as representative and then as senator, holding the seat as senator for the Thirty-seventh district at the time of his death.

His consecration to duty was as impelling during his previous terms as it was in this, his last, when from a sick bed he would take his faltering way to the Senate chamber, there to engage in debate, and to vote, carrying out the desires of his constituency, but returning each time a much weakened man.

One might say that his sense of duty was as vital to him as life itself.

Cady Chase passed away at 7:30 o'clock a. m., Friday morning, March 2nd, almost in the arms of Mrs. Chase, who has without rest given herself to him during his long and wearing sickness. He leaves to lament his departure his wife and one son, Cady—Daniel Cady Chase, Jr., who is practising law in Cedar Rapids.

Mr. Chase was always at the service of his fellows, and no legal work nor indeed work of any kind was ever refused because his client had no means wherewith to pay for the services he sought. Cady Chase performed many deeds of helpfulness, few of which were ever made public, and none of which were heralded by a fanfare of trumpets.

He championed the cause of the "under dog", and with considerable relish fought his case to a finish. He had a mind as keen as a March wind; a sympathy as generous as summer sunshine; and convictions steadfast as a granite cliff, and constant as the stars. He was a statesman, a lawyer, a man, of no mean order; the friend of nature's wild life—for bird, flower, stream and tree had its songful message for his ever ready soul, and it may be that that which passed for aloofness was but preoccupation.

In his early years he gave his powerful voice to the various churches, singing in the choirs, but later he seldom attended public worship; not that the failure to attend church detracted from his personality, for he found sustaining and enriching interests elsewhere.

And now for a few brief moments, I would like to show through the jewelled portals of his poems, and by the aid of his own singing words, some glimpses of his not commonly revealed selfhood. He was a patriot not of the wordy mouth, but of the potent deed. He loved his country, and was perhaps one of the heaviest subscribers of his county to the national Liberty Bonds and this instinct of patriotism flames forth in his lines to "Crocker's Iowa Brigade:"

"The old brigade—how warms the heart
 With memories; glorious its part
 From Shiloh to the sea;
 From that baptismal hour of blood,
 Until the hour its veterans stood
 On treason's capitol and gave
 Old Glory to the breeze, to wave
 There thru Eternity."

Here his mystic mood visualizes the hour with its setting of consecrated nobility and martial movement.

He was more—he was a "worshipper":

"Lift up thine eyes. Art thou delving deep?
 Scanning the ground long hours? Grovelling o'er a heap
 Thou callest gold?
 It is unvalued, save as a thing of beauty
 Which shines and glitters in the sun;
 But naught, when matched with the glorious rise
 Of the golden dawn itself. Lift up thine eyes;
 Earth is but an atom on the face of the universe,
 Thy state—thy power—how small
 Compared with that which moves the stars, guiding them all.
 Look, brother, look! Lift up thine eyes,
 Strip off thy tinsel crown."

Surely my friends, we are here face to face with that vast cosmic sense, which gives to life and to men a true balance, a true proportion. Cady Chase was a worshipper of that august power which guides the stars and yet interests itself in men.

A patriot—a worshipper—he was a "Samaritan" soul! Note the sacred sequence, the simple grace, the high regard, which unveils itself in the lines—

"When courage lags, and cannot take
 One step ahead; nay, impotent,
 Falls down; then Sympathy—Heaven-sent,
 And Love, will take the burden up,
 Press to the parched lips the cooling cup,
 Brush off the dust of failure; then
 Assist the stranger on again."

And I venture to say, that in this state there are scores of people whose testimony of their experiences with him, would establish that; for from the treasury of his own regnant manhood, he brought forth the cooling cup and extended the lifting hand.

But he had a "sêcret place"—a place of mental, physical and indeed spiritual restoration.

"There was a rippling stream, a slow moving boat,
 Moving past fragrant woods, where violets blow,
 Redolent air, and curtains of green.
 Where he rested—unseen—unseen."

And I believe from these hidden sanctuaries, he came forth re-born unto power, to disentangle the skeins of human wretchedness and sin. May I go further and say he was a man of sterling courage, and of abiding steadfastness. In the lines called "Courage", he stands tall as the snow-capped hills, and as immovable:

"Be ever true,
 When fortune darkly glowers,
 And frowns forbiddingly,
 And all the allied powers
 Of evil ruthlessly
 Rush in between;
 Nay, more! The will to draw more closely still
 Oh let there then be truthfulness.
 The bond between us two,
 What storm may come—what woe betide;
 So, each be true,
 You true to me,
 And I to you."

It is an appeal for comradeship in the home, but it is also an appeal for constancy in all of life's relationships. How vividly this man senses life's direst necessities and with what hallowed consecration he would meet them! And finally, this stalwart son of man, this man whose mind and heart formed one of the noblest assets of this favored state, reveals to us the most sacred of all his inner shrines of being when he pens the lines:

"You call me proud; could you but guess aright,
 How all my willing pride would gladly die
 Before a man who, grandly in his might,
 Could rise above me, like a star on high."

Here is a full-orbed, clear visioned sincerity; here is frank, honest, majestic belief in himself; but so poised, so finely balanced, that he could bend the knee, when he had found a might "which grandly rose above him—like a star on high."

Today we mourn his passing from these scenes of earth and turn in our love to those who abide with us "yet a little while," but our faith is firm that Cady Chase, having found that greater life, and having seen face to face the kingly Christ, is walking the avenues of immortality, is changing from glory unto glory by beholding, and perhaps slowly but none the less surely, assuming the same image.

Our prayer surely is this—May the God, whose natural creations he loved so well, and whose voices he heard so clearly, in forest and stream, in laughing child and in singing bird, multiply his graces upon him and lead him into the way everlasting.—Amen.

Senator Price spoke as follows:

MR. PRESIDENT: I could not permit this hour to pass without saying some word of my appreciation of the life and character of my and your friend, so affectionately called Cady Chase. It was my distinguished privilege to be permitted to stand by his bier and drop a tear of sympathy and love for the memory of one whom his pastor so fittingly called a statesman. It was my privilege to serve with him in the 37th General Assembly, and there I learned to know him intimately and well. On the outside he appeared at times gruff, but on the inside he was at all times one of the most polished and brilliant lives that the great state of Iowa has ever produced. How fittingly has he been termed a statesman, and I wish that the senators present and those of the future yet unborn would make the distinction between a statesman and a politician. This Senator Chase did.

It is to be regretted that too many persons in public service, and particularly in the legislature, in voting or acting upon measures coming

before them too often ask themselves the question "What effect will this have on my re-election, on my continuation in the public service and the gratification of my selfish ambitions", and too rarely do they ask themselves the question "Is it right?" Cady Chase asked only the question "Is it right?" and having determined this, he cared not for the consequences on his official career because he believed in the doctrine that God Almighty and one in the right is always a majority, and were the great state of Iowa blessed with a greater number of men possessing the sterling qualities which guided Cady Chase here people would be more blessed by the public service than they now are.

His was a clear brain and he had a clear vision. His outstanding characteristic was that of honesty, and in using the word honesty I do not use it in its limited sense, that of paying debts, but I use it in that greater and broader sense, honesty and uprightness in all of his relationships with men. He was courageous; he was fearless; he was studious, and in his service as a senator he thoroughly investigated every proposition and arrived at the conclusion of what was right, and upon arriving at that conclusion he could not be swerved from the path of duty, but pursued it to its just and logical end. His was a kind and sympathetic nature; he judged not, lest he be judged of the same judgment. How often I have heard him speak the lines:

"In men whom men condemn as ill I find so much of goodness still,
In men whom men pronounce divine I find so much of sin and blot
That I hesitate to draw the line between the two where God has not."
That was Cady Chase's attitude towards men.

As I stood beside the bier and dropped a tear I thought "Is Cady Chase dead?" My answer is "No"; "to live in hearts we leave behind is not to die." Cady Chase is not dead; he lives today in the hearts of those left behind, in your heart and mine, and we will hand down to posterity the splendor and service of the life of Cady Chase.

His character and influence as a member of the Iowa Legislature is reflected in the statutes of the state and in the decades and centuries yet unborn Cady Chase will be known in those statutes and his influence will be felt and his mark left on the lives of the people of this great state.

May his memory ever be green and sweet in our minds. May his ashes ever rest in peace.

Senator Holdoegel spoke in part as follows:

MR. PRESIDENT: I have taken the floor for the purpose of moving that the Senate take special action to provide for the decoration of the desk of our departed brother Senator. It is not my purpose to extend the remarks of this afternoon, but while I am on the floor, I cannot refrain from stating that it was also my privilege to serve in the 37th General Assembly with Senator "Cady" Chase.

Coming here as a new man, unsophisticated in legislative lore and in public affairs, I always found his association to be helpful. Senator Chase sat just behind me in that Assembly and many was the time that I turned to him for advice and suggestion, and many was the time that he tendered assistance in his characteristic way. Because of this I came to have great admiration for him as a man, and reverence for his

character and an appreciation of his fairness as well as a high esteem for him as a lawyer and a Senator.

Fate seems to have directed that on legislative matters we were frequently diametrically opposed, especially in the earlier part of the session, but in the latter part, when there were matters before the Senate to try men for their stamina, their integrity and their devotion to the welfare of the public, we were drawn together and generally acted in accord. As an adversary his fairness could not be questioned and the vigor of his opposition always demanded respect. He was a man of sympathy with the common people; one who by nature was led to consider the welfare of those who were not particularly blessed in worldly possessions, and in his legal practice I knew him to be one who was disposed to be helpful to those who needed his assistance.

He loved the works of nature and was very much interested in the out-of-doors. He knew the birds; he knew the flowers. I learned to love "Cady" Chase as I have learned to love many men in this Senate. In his home community he received the respect of the general populace.

Very much to my disappointment I was not permitted to attend his funeral and to drop a flower upon his bier, but the weather conditions were such as to prevent the traffic on the interurban line and to prevent my going by auto, so that I could not stand beside the casket which bore the earthly remains of a true and dear friend, and during the afternoon, when the last sad rites were performed for him, my mind dwelled upon the contemplation of the heritage that he was leaving to his community and to his state, and I was led to realize that he who may leave such a heritage shall not have lived in vain.

And I now move, Mr. President, that a committee of three be appointed to provide for the decoration of Senator Chase's desk with flowers.

The motion prevailed and the President appointed as such committee Senators Holdoegel, Hale and Newberry.

Senator Gilchrist moved that the remarks of Senator Price and Senator Holdoegel be printed in the Journal, which motion prevailed.

Senator Price moved that the President appoint a committee of three to draft proper resolutions to be entered in the Journal, and when engrossed, the originals be sent to Mrs. Chase, which motion prevailed.

The President appointed as such committee Senators Price, White and Haskell.

The President appointed Senator Smith as a committee of one to draft suitable resolutions on the life of Senator Eugene Schaffter, who died since the last session, while yet a member of the

Senate, said resolutions to be presented in the near future, aside from the regular memorial session.

Senator Holdoegel moved that in memory of Senator Chase the Senate do now adjourn until 10 a. m. Wednesday, which motion prevailed and the Senate adjourned until 10 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 7, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. D. M. Simpson, pastor of the Methodist Episcopal church of Hinton, Iowa.

On motion of Senator Price rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Snook for the day on request of Senator Brookins.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Fulton from dealers in cigars and tobacco of Fairfield protesting the proposed tax on cigars and tobacco. Ways and means.

By Senator Holdoegel from farmers of Calhoun and Pocahontas counties asking support for appropriations to county agricultural societies. Agriculture.

By Senator Brookins from the Floyd County League of Women Voters protesting the proposed repeal of the primary law, urging acceptance of the provisions of the Sheppard Towner Act, and of the gift to the university hospital. Appropriations.

By Senator Rees from the W. C. T. U., the Women's Missionary Society of the United Presbyterian Church, the Home Missionary Society of the Methodist Church, and the Woman's Club, of College Springs, urging acceptance of the provisions of the Sheppard-Towner Act. Appropriations.

By Senator Rees from the Fremont county board of education opposing the establishment of additional normal schools. Appropriations.

By Senator Banta from cigar and tobacco dealers of Independence

protesting the proposed tax on cigars and tobacco. Ways and means.

By Senator Baird from citizens of Pottawattamie county opposing any measure lengthening the time before primary elections for changing party affiliations, and protesting House File 265. Elections.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 413, a bill for an act to amend section thirty-one hundred eighty-eight (3188) of the code (C. C. 6637) relating to the period of minority of both sexes.

Also, 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 one thousand fifty-six-b twenty-six (1056-b26), supplemental supplement to the code, 1915 (C. C. 4298), relating to changes in form of government by cities and towns.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 457, a bill for an act to legalize \$78,000.00 school building bonds dated August 1, 1921, of the Consolidated Independent School District of Moorland, Webster county, Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 58, a bill for an act to repeal sections twelve hundred fourteen (1214) to twelve hundred twenty-eight (1228) of the compiled code of Iowa relating to the practice of professional engineering and land surveying.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 30, a bill for an act to amend, revise, and codify sections five hundred sixty-nine (569), five hundred seventy-two (572) and five hundred seventy-three (573) of the compiled code of Iowa, relating to contesting elections of state officers.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 428, a bill for an act to amend sections twenty-four hundred seventy-seven-h (2477-h) and twenty-four hundred seventy-seven-1 (2477-1) of the supplement to the code, 1913 (C. C. 894-898), and to make further provisions for the regulation of employment offices or bureaus.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 225, a bill for an act to amend, revise and codify sections six thousand nine hundred seventy-two (6972), six thousand nine hundred eighty (6980), and six thousand nine hundred eighty-two (6982) of the compiled code of Iowa, relating to the clerk of the district court.

A. C. GUSTAFSON, *Chief Clerk*.

INTRODUCTION OF BILLS

Senate File No. 538, by Senator Holdoegel, a bill for an act to amend section thirty-five hundred ninety-three (3593) of the compiled code of Iowa, relating to the cleaning of streets, the establishment of sanitary districts and providing for the levy of an annual tax for the purpose of carrying out the provisions of this act and the disbursement of same.

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

Senate File No. 539, by Senator Holdoegel, a bill for an act to repeal section four (4) of chapter three hundred four (304), acts of the Thirty-ninth General Assembly and to enact substitutes therefor, making an appropriation for certain purposes connected with the work of the Iowa State Dairy Association, the Iowa Beef Cattle Producers' Association and the Iowa Corn and Small Grain Growers' Association.

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

Senate File No. 540, by Senator Hale, a bill for an act to reimburse and compensate Carl F. Schatz and Laura Schatz, on account of the death of their son and making an appropriation to pay the same.

Read first and second times and referred to committee on claims.

Senate File No. 541, by Senator McIntosh, a bill for an act to repeal chapter three hundred eighteen (318) acts of the Thirty-seventh General Assembly (C. C. 352) and an act relating to the office of superintendent of public instruction and enact a substitute therefor.

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

Senate File No. 542, by Senator Wichman, a bill for an act relating to the levying, under certain conditions, of a school house tax by independent school districts and the issuing of certificates or bonds in anticipation of the collection of such tax and providing for a special school house fund.

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

Senate File No. 543, by Senator Brookins, a bill for an act relating to the pollution of the waters of any stream, waterway or lake of this state; providing penalties for violation thereof; and providing for the issuance of a writ of injunction to prohibit the same.

Read first and second times and referred to committee on conservation.

Senate File No. 544, by Senator Brookins, a bill for an act to amend section two hundred eighty-eight (288) of the code of 1897 (C. C. section 6974) relating to the records and books to be kept by the clerk of the district court.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 545, by Senator Baird, a bill for an act to repeal section two hundred seventy-eight (278) of the code (C. C. 6910), relating to the salary of judges of superior courts, and to enact a substitute therefor, also to amend section two hundred sixty-two (262) of the code, (C. C. 6907) relating to powers of judges of superior courts.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 546, by Senator Darting, a bill for an act to authorize special charter cities who have abandoned their charters to transfer funds.

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

Senate File No. 547, by Senator Darting, a bill for an act to legalize certain warrants issued by Mills county on the bridge, road and general funds and to authorize the execution and sale of bonds to fund the same.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 548, by Senator Thurston, a bill for an act to amend chapter two hundred thirty-seven (237) of the laws of the 38th General Assembly, and to regulate and prescribe the manner of giving notice, and requiring bids for road projects, which shall be divided into sections, the cost of each section not to exceed twenty thousand (\$20,000) dollars.

Read first and second times and referred to committee on highways.

Senate File No. 549, by Senator Stoddard, a bill for an act to compensate Woodbury County, Iowa, for money expended by Woodbury county for the hearing, commitment and transportation of certain insane patients who were charges of the state of Iowa.

Read first and second times and referred to committee on charitable, correctional and penal institutions.

Senate File No. 550, by Senator Stoddard, a bill for an act authorizing towns and cities including cities under special charter to receive bids for patented paving or pavement to be constructed under patented process and prescribing method and requirements thereof.

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

Senate File No. 551, by Senator Campbell, a bill for an act prescribing presumption and burden of proof in actions for damages against common carriers relating to transportation of livestock.

Read first and second times and referred to committee on railroads.

Senate File No. 552, by Senator Bowman, a bill for an act to amend the law as it appears in section seven hundred twenty (720) of the supplement to the code, 1913, as amended by chapter three hundred twenty-six (326) of the acts of the Thirty-eighth General Assembly (C. C. section 3966) relating to the power of cities and towns to own, build and operate certain public utilities so as to extend the provisions thereof to include telephone systems.

Read first and second times and referred to committee on public utilities.

Senate File No. 553, by Senator Perkins, a bill for an act to amend section thirty-five (35), chapter two hundred and thirty-seven (237) laws of the Thirty-eighth (38th) General Assembly (C. C. 2943) as amended by chapter fifty-six (56), laws of the Thirty-ninth (39th) General Assembly, relating to the construction, improvement and maintenance of highways within towns on the primary road system.

Read first and second times and referred to committee on highways.

Senate File No. 554, by Senator Perkins, a bill for an act to amend section six hundred sixty-a (660-a), chapter two (2), title five (5), of the supplement to the code 1913 (C. C. 3530), relating to the deposit of funds of towns and cities.

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

Senate File No. 555, by Senator Cessna, a bill for an act to repeal chapter two hundred fifty-eight (258), acts of the Thirty-eight (38) General Assembly (C. C. chap 21, title V), relating to examination and certification of shorthand reporters of the district, superior and municipal courts.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 556, by Senator Cessna, a bill for an act to repeal chapter three hundred ninety-two (392), acts of the Thirty-eighth (38) General Assembly (C. C. chap. 20, title V), relating to the examination and registration of professional engineers and land surveyors.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 557, by Senator Baird, a bill for an act to amend section thirteen hundred fourteen (1314) of the code, 1897, (C. C. section 4496), and section thirteen hundred eighteen (1318) of the code 1897, (C. C. 4499) pertaining to the listing and taxation of property.

Read first and second times and referred to committee on ways and means.

Senate File No. 558, by Senator Romkey, a bill for an act legalizing certain contracts awarded prior to January 1, 1923, for the hard surfacing of roads and authorizing the issuing of certificates in anticipation of the allotments of the primary road fund by counties where such contracts have been awarded.

Read first and second times and referred to committee on highways.

Senate File No. 559, by Senator Buser, a bill for an act to protect firemen, engineers and employees of steam railroads, by providing for automatic doors to the fire boxes of locomotive engines, prescribing penalties for its violation, repealing all laws

in conflict therewith, and providing a time when same is to be in force.

Read first and second times and referred to committee on railroads.

Senate File 560, by Senator Adams, a bill for an act to amend paragraph 1 of section 1714 (C. C. 5632) of the code, as amended by section 14, chapter 429, acts of the 37th General Assembly, section 1724 (C. C. 5640) of the code, and section 1700 (C. C. 5623) of the code, relating to insurance other than life.

Read first and second times and referred to committee on insurance.

Senate File No. 561, by Senator Adams, a bill for an act to amend section seventeen hundred forty-six (1746) of the code (C. C. 5662), relating to insurance other than life.

Read first and second times and referred to committee on insurance.

HOUSE MESSAGES CONSIDERED

House File No. 426, a bill for an act to amend section one (1) of chapter one hundred twenty (120) acts of the Thirty-ninth General Assembly, relating to the organization, regulation, taxation and operation of mutual insurance associations.

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

House File No. 354, a bill for an act to amend the law as it appears in section two (2) of chapter three hundred eight (308), acts of the Thirty-seventh General Assembly (Compiled Code section 2630), as amended by chapter ninety-eight (98) acts of the Thirty-ninth (39) General Assembly, relating to the education of deaf children.

Read first and second time and referred to committee on educational institutions.

House File No. 477, a bill for an act to amend section six hundred forty-two (642), of the Code, (C. C. sec. 3511), relating to elections in cities and towns.

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

House File No. 372, a bill for an act to repeal the law as it appears in section six (6), chapter thirty-seven (37), acts of the Thirty-eighth General Assembly (S. C. C. 2457), and section

three (3), chapter two hundred ninety-seven (297) acts of the thirty-ninth General Assembly (S. C. C. 2457), and to enact substitutes therefor; and to amend sections eleven (11) (C. C. 2469) and twelve (12) (C. C. 2470) chapter one hundred sixty-five (165), acts of the Thirty-eight General Assembly, and sections two (2) (C. C. 2038) and seven (7) (C. C. 2159), chapter thirty-seven (37), acts of the Thirty-eighth General Assembly; relating to the support funds of 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.

House File No. 369, a bill for an act to legalize an election held on the 30th day of June, 1922, in the town of Denver, county of Bremer, State of Iowa, for the purpose of voting on the proposition to erect a town hall at a cost not to exceed \$7,000.00 and to legalize all acts and proceedings in respect to said election and in respect to the issuance of bonds in said sum of said town.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 489, a bill for an act authorizing the issuance of a patent to certain lands in Dallas county, Iowa.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 530, a bill for an act to legalize the incorporation, including the notice of incorporation and the publication thereof, and corporate acts and proceedings relating to the incorporation of the B. & K. Coal Company of Burlington, Iowa.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 413, a bill for an act to amend section thirty-one hundred eighty-eight (3188) of the Code (C. C. 6637) relating to the period of minority of both sexes.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 538, a bill for an act to amend section one thousand fifty-six-b twenty-six (1056-b26), supplemental supplement to the code, 1915 (C. C. 4298), relating to changes in form of government by cities and towns.

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

House File No. 58, a bill for an act to repeal sections twelve hundred fourteen (1214) to twelve hundred twenty-eight (1228) of the compiled code of Iowa relating to the practice of professional engineering and land surveying.

Read first and second time and referred to committee on departmental affairs.

House File No. 30, a bill for an act to amend, revise, and codify sections five hundred sixty-nine (569), five hundred seventy-two (572) and five hundred seventy-three (573) of the compiled code of Iowa, relating to contesting elections of state officers.

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

House File No. 428, a bill for an act to amend sections twenty-four hundred seventy-seven-h (2477-h) and twenty-four hundred seventy-seven-l (2477-l) of the supplement to the code, 1913 (C. C. 894-898), and to make further provisions for the regulation of employment offices or bureaus.

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

House File 457, a bill for an act to legalize \$78,000.00 school building bonds dated August 1, 1921, of the consolidated independent school district of Moorland, Webster County, Iowa.

Read first and second time and referred to committee on judiciary No. 2.

REPORTS OF COMMITTEE

Senator Darting, from the committee on charitable, correctional and penal institutions, submitted the following report:

MR. PRESIDENT: Your committee on charitable, correctional and penal institutions to whom was referred Senate File No. 291, a bill for an act to amend section fifty-seven hundred eighteen-a eighteen (5718-a-18), supplement to the code, 1913, relating to paroles, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the word "penitentiary" in line four of section one thereof, and by substituting in lieu thereof the word "penitentiaries",

H. A. DARTING, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on charitable, correctional and penal institutions to whom was referred Senate File No. 393, a bill for an act

to amend section one (1), chapter one hundred and fifty-six (156), laws of the Thirty-ninth General Assembly (C. C. section 2094), relating to the selection of probate officers in juvenile courts, beg leave to report it has had the same under consideration and recommends the same do pass.

H. A. DARTING, *Chairman*.

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Buser Senate File No. 375, a bill for an act to require the auditor of state to examine and audit the accounts and business affairs of the board of agriculture, the board of education and the highway commission, and all departments and institutions under their control, and to authorize the executive council to direct and control the manner of keeping accounts, with the 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 following after the word education in line three (3) of the title: ", board of control"; also amend line four (4) of section one (1) by inserting the following after the word education: ", board of control".

Senator Buser offered the following amendments and moved their adoption:

Amend by striking the word "statute" where it appears in lines 8 and 10 of section 2 and inserting the word "law" in lieu thereof.

Also amend by inserting after the word "statute" in line 8 of section 2 the following "or federal regulations".

The amendments were adopted.

Senator Stoddard moved that Senate File No. 375 be referred to the committee on educational institutions.

Senator Price raised the point of order that the discussion between Senators Buser and Holdoegel was not germane to the subject matter.

The president held that it was a very debatable subject.

Senator Price asked for roll call.

On the question "Shall the bill be referred to the committee on educational institutions?" the vote was:

Ayes, 2.

Ethell	Stoddard
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Nays, 38.

Abben	Caldwell	Haskell	Shane
Adams	Campbell	Johnston	Shinn
Baird	Cessna	Kimberly	Slosson
Banta	Darting	Mantz	Smith
Bergman	Dutcher	Nelson	Thurston
Bowman	Fulton	Newberry	Tuck
Brookhart	Gilchrist	Olson	White
Brookins	Goodwin	Price	Wichman
Browne	Hale	Rees	
Buser	Hartman	Romkey	

Absent or not voting, 9.

Holdoegel	Mead	Scott	Snook
Horchem	Perkins	Shaff	
McIntosh	Reed		

The motion was lost.

Senator Stoddard moved that the bill be referred to the committee on departmental affairs.

Senator Price raised the point of order that this question had once been decided and the fact that a new committee was named made no difference.

The President held the point not well taken.

The motion was lost.

Senator Stoddard moved that the bill be referred to the committee on appropriations.

Senator Price moved as a substitute motion that the rule be suspended whereby this bill should be referred to the committee on appropriations and that it retain its place on the calendar and asked for a roll call.

On the question "Shall the motion be adopted and the rule be suspended?" the vote was:

Ayes, 27.

Adams	Cessna	McIntosh	Shane
Bergman	Darting	Mantz	Shinn
Brookhart	Ethell	Mead	Slosson
Brookins	Goodwin	Nelson	Smith
Browne	Hartman	Price	Thurston
Buser	Johnston	Rees	Tuck
Campbell	Kimberly	Romkey	

Nays, 18.

Abben	Banta	Fulton	Hale
Baird	Dutcher	Gilchrist	Haskell

Holdoegel
Horchem
Newberry

Perkins
Reed
Scott

Shaff
Stoddard

White
Wichman

Absent or not voting, 4.

Bowman

Caldwell

Olson

Snook

The motion was lost and the bill was referred to the committee on appropriations under the rule of the Senate.

The point of order having been previously raised that the subject matter contained in House File No. 279 was the same as Senate File No. 416, which failed to pass the Senate, the President ruled that there was enough difference to justify consideration of House File No. 279.

On motion of Senator Mead, House File No. 279, a bill for an act to amend title eight (8), chapter one-a (1-a), section fifteen hundred twenty-seven-s three (1527-s3), supplemental supplement to the code, 1915, (C. C. 2872), relating to the duties of the board of supervisors in the employment of a county engineer, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ethell moved the previous question, which motion prevailed.

The bill was read for information.

Senator Mead moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Abben
Adams
Bergman
Brookhart
Browne
Buser
Campbell

Cessna
Darting
Ethell
Fulton
Gilchrist
Hartman
Johnston

Kimberly
McIntosh
Mead
Nelson
Olson
Price
Rees

Romkey
Shane
Shinn
Smith
Thurston
Tuck

Nays, 19.

Baird
Banta
Bowman
Brookins
Caldwell

Goodwin
Hale
Haskell
Holdoegel
Horchem

Mantz
Newberry
Perkins
Scott
Shaff

Slosson
Stoddard
White
Wichman

Absent or not voting, 3.

Dutcher

Reed

Snook

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

Senator Mead moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Banta, Senate File No. 449, a bill for an act amending section seventeen hundred and ten (1710), supplement to the code, 1913, as amended by section five (5), chapter four hundred twenty-eight (428), laws of the Thirty-seventh General Assembly (37th G. A.) and section three (3), chapter three hundred forty-eight (348), laws of the Thirty-eighth General Assembly (38th G. A.) and section one (1), chapter two hundred sixty-one (261), laws of the Thirty-ninth General Assembly (39th G. A.) (C. C. 5628) relating to insurance other than life, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Banta moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Abben	Darting	McIntosh	Shane
Baird	Ethell	Mantz	Smith
Banta	Fulton	Newberry	Thurston
Bergman	Gilchrist	Olson	Tuck
Brookhart	Haskell	Perkins	White
Brookins	Horchem	Scott	Wichman
Caldwell	Kimberly	Shaff	

Nays, 5.

Browne	Johnston	Nelson	Shinn
Buser			

Absent or not voting, 17.

Adams	Goodwin	Price	Snook
Bowman	Hale	Reed	Stoddard
Campbell	Hartman	Rees	
Cessna	Holdoegel	Romkey	
Dutcher	Mead	Slosson	

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

On motion of Senator Buser, Senate File No. 491, a bill for an act to amend section ten (10) of chapter two hundred seventy-five (275), acts of the Thirty-eighth General Assembly (C. C. 3053) by providing for a refund of license fee upon such cars as are destroyed or stolen and not recovered during the year for which registration

was paid, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Buser offered the following amendments and moved their adoption:

Amend Senate File No. 491 by inserting after the word "paid" appearing in line nine (9) of section one (1) the following: "or sold and continuously used beyond the boundaries of the state of Iowa".

Also amend by striking all that part of section one (1) after the period following the word "year" in line twelve (12), and insert in lieu thereof the following: "The motor vehicle department is hereby authorized to make such payments according to the above provisions, when sufficient proof of such destruction by accident, theft, or sale for continuous use beyond the boundaries of the state, is properly certified, approved by the county treasurer, and filed with the motor vehicle department."

The amendments were adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking out all after the words "Section 3", and by inserting in lieu thereof the following: "The provisions of this act shall apply to such losses as occur on or after January 1, 1923."

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking out Section 2 and renumbering Section 3 as Section 2.

The amendment was adopted.

The bill was read for information.

Senator Buser moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42.

Abben	Cessna	Johnston	Shane
Adams	Darting	Kimberly	Shinn
Baird	Dutcher	McIntosh	Slosson
Banta	Ethell	Mantz	Smith
Bergman	Fulton	Nelson	Stoddard
Brookhart	Gilchrist	Newberry	Thurston
Brookins	Hale	Olson	Tuck
Browne	Hartman	Price	White
Buser	Haskell	Reed	Wichman
Caldwell	Horchem	Romkey	
Campbell	Holdoege	Scott	

Nays, none.

Absent or not voting, 7.

Bowman	Mead	Rees	Snook
Goodwin	Perkins	Shaff	

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

Senator Buser moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table; which motion prevailed.

On motion of Senator Brookhart House File No. 224, a bill for an act to amend chapter four (4) of title twenty-eight (28) of the compiled code of Iowa, relating to judges and courts, and rules for conciliation of certain controversies, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend House File No. 224 by striking out all of Section Three of the bill and by renumbering Section Four as Section Three.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 34.

Abben	Darting	Horchem	Scott
Banta	Dutcher	Johnston	Shane
Bergman	Ethell	Kimberly	Slosson
Brookhart	Fulton	McIntosh	Stoddard
Browne	Gilchrist	Nelson	Thurston
Buser	Hale	Olson	Tuck
Caldwell	Hartman	Price	Wichman
Campbell	Haskell	Reed	
Cessna	Holdoegel	Romkey	

Nays, none.

Absent or not voting, 15.

Adams	Goodwin	Perkins	Smith
Baird	Mantz	Rees	Snook
Bowman	Mead	Shaff	White
Brookins	Newberry	Shinn	

The amendment was adopted.

The amendment offered by the committee was withdrawn.

The bill was read for information.

Senator Brookhart moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Dutcher	Kimberly	Shane
Adams	Ethell	McIntosh	Slosson
Bergman	Fulton	Mead	Stoddard
Brookhart	Gilchrist	Nelson	Thurston
Browne	Hale	Newberry	Tuck
Caldwell	Hartman	Olson	White
Campbell	Holdoegel	Reed	Wichman
Cessna	Horchem	Scott	
Darting	Johnston	Shaff	

Nays, 1.

Baird

Absent or not voting, 14.

Banta	Goodwin	Price	Smith
Bowman	Haskell	Rees	Snook
Brookins	Mantz	Romkey	
Buser	Perkins	Shinn	

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

A BILL FOR

An act to legalize certain elections, ordinances and acts of the town of Grand River, Decatur County, Iowa.

Whereas, Doubt has arisen in regard to the legality of certain town elections held in the town of Grand River, Decatur County, Iowa, to-wit: March 30, 1914, March 26, 1919, March 26, 1920, and March 29, 1922, and as to the legality of certain ordinances and acts of the council, on account of irregularities in such elections and on account of six councilmen being elected and serving part of the time, instead of five, as the law provides, and

Whereas, All acts of the council during this time, were for the best interest of the citizens and there is a general desire to approve all such acts, elections and ordinances, now therefore:

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. The elections held by the town of Grand River, Decatur County, Iowa, on March 30, 1914, March 26, 1918, March 26, 1920, and March 29, 1922, and all acts, ordinances and resolutions passed by the mayor and councils elected at said elections are hereby legalized and validated.

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 Register, a newspaper published in the city of Des Moines, Iowa, and the Grand River Local, a newspaper published in the town of Grand River, Iowa, without expense to the state.

State of Iowa, Decatur County, ss.

I, H. E. Greeley, on oath swear that I am the publisher of The Grand River Local, a newspaper printed and published in Grand River, in said county, and of general circulation therein, that the annexed notice was published in said newspaper one consecutive week, the first publication of the same being on the 22nd day of February, A. D. 1923.

H. E. GREELEY.

Sworn to before me and subscribed in my presence by the above named H. E. Greeley this 23rd day of February, A. D. 1923.

Witness my hand and seal.

A. E. Blair, Notary Public.

The Journal of March 6th was corrected and approved.

On motion of Senator Ethell the Senate adjourned until 4:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports it has examined and finds correctly enrolled House Files Nos. 38, 150, 232, 368 and 263.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

REPORTS OF COMMITTEES

Senator Ethell, 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. 522, a bill for an act to amend chapter three hundred sixty-seven (367), acts of the Thirty-seventh (37th) General Assembly (C. C. sec. 3593); section seven hundred twenty-six (726), supplemental supplement to the code, 1915 (C. C. sec. 3638); section two (2) of chapter three hundred twelve (312), acts of the Thirty-eighth (38th) General Assembly (C. C. sec. 3675); section seven hundred sixty-six-c (766-c), supplement to the code, 1913 (C. C. sec. 3796); section eight hundred forty-three (843) of the code (S. C. C. sec. 3957); section four (4), chapter two hundred eighty-eight (288), acts of the Thirty-eighth (38th) General Assembly, as amended by section one (1), chapter eighty-two (82), acts of the Thirty-ninth (39th) General Assembly (S. C. C. sec. 3997); section twelve (12), chapter two hundred eighty-eight (288), acts of the Thirty-eighth (38th) General Assembly, as amended by section two (2), chapter eighty-two (82), acts of the Thirty-ninth (39th) General Assembly (S. C. C. sec. 4005); section nine hundred six (906) of the code (C. C. sec. 4061); section nine hundred eighty-seven (987) of the code (C. C. sec. 4403); section nineteen hundred fifty-three (1953) of the code (C. C. sec. 4795); section nineteen hundred eighty-nine-a twenty-seven (1989-a27), supplement to the code, 1913 (C. C. sec. 4875); section four hundred three (403), supplement to the code, 1913 (C. C. sec. 3261), and section one (1), chapter two hundred thirty-nine (239), acts of the Thirty-eighth (38th) General Assembly (C. C. sec. 3309), relating to the rate of interest on bonds, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred House File No. 136, a bill for an act to amend, revise, and codify sections thirty-two hundred nineteen (3219) to thirty-two hundred twenty-one (3221), inclusive, thirty-two hundred twenty-five (3225),

thirty-two hundred twenty-six (3226), and thirty-two hundred twenty-eight (3228) of the compiled code of Iowa, relating to the coroner, beg leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred House File No. 357, a bill for an act to repeal paragraph seven (7) of section 1, chapter 49, acts of the Thirty-seventh General Assembly, relating to the fees of the sheriff for collecting and paying over money, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by inserting after the words "General Assembly" in the title of the printed bill, the compiled code reference, "(C. C. 3206)".

Also amend by inserting after the words "General Assembly" in section 1 of the printed bill, the compiled code reference "(C. C. 3206)".

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred Senate File No. 518, a bill for an act requiring county sheriffs to employ professional auctioneers to conduct sales, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

JOHN J. ETHELL, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred Senate File No. 149, a bill for an act to amend, revise and codify sections thirty-three hundred eighty-five (3385) and thirty-three hundred ninety-nine (3399) of the compiled code of Iowa, relating to land surveys, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out of line 4 of section 3 the words and figures "ten dollars (\$10.00)" and inserting in lieu thereof the words and figures "five dollars (\$5.00)".

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Senator Fulton submitted the following report:

MR. PRESIDENT: Your committee on banks to which was referred Senate File No. 496, a bill for an act to amend section two (2) chapter 335 of the acts of the Thirty-eighth General Assembly (C. C. 5754) relating

to the fees for examining banks begs leave to report it has had the same under consideration and recommends the same do pass.

C. J. FULTON, *Chairman*.

Ordered passed on file.

Senator Reed, 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. 421, a bill for an act to legalize certain elections, ordinances and acts of the town of Grand River, Decatur county, Iowa, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 233, a bill for an act to amend, revise and codify section seven thousand six hundred fourteen (7614) of the compiled code of Iowa, relating to costs: beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 534, a bill for an act to amend section 1877 of the code of 1897 by adding thereto provisions for the examination, at the instance of receivers appointed thereunder, of persons suspected of having taken wrongful possession of any of the effects of a state or savings bank, etc., beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 504, a bill for an act relating to the sale of stocks and bonds and other securities, providing for the issuance of a permit and the cancellation thereof, and the investigation of securities offered for sale, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 269, a bill for an act prohibiting public officers and employees from receiving public funds as compensation for services

in addition to the amount to which they are entitled by virtue of their office and fixing a penalty for its violation, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 8, a bill for an act to amend, revise and codify section eighty-six hundred forty-five (8645) of the compiled code of Iowa, relating to larceny and punishment therefor, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Senator Cessna, from the committee on Departmental Affairs, submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to whom was referred Senate File No. 388, a bill for an act to repeal chapter two hundred eighteen (218), (S. C. C. 39-a1, 39-a2, 39-a3, 39-a4, 39-a5, 39-a6), acts of the Thirty-ninth (39th) General Assembly and sections one hundred eighty-two (182) and one hundred eighty-three (183) of the code, 1897, (C. C. 40, 41) relating to the retrenchment and reform committee, and to vest certain authority exercised by this committee in the executive council, beg leave to report they have had the same under consideration and recommend the same do pass.

T. C. CESSNA, *Chairman*.

Ordered passed on file.

Senator Newberry submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 380, a bill for an act to amend section twenty-eight hundred twelve-d (2812-d), supplement to the code, 1913 (C. C. 2660), relating to school building bonds, begs leave to report it has had the same under consideration and recommends the same do pass.

B. W. NEWBERRY, *Chairman*.

Ordered passed on file.

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 415, a bill for an act to amend the law as it appears in section one thousand five (1005) supplement to the code 1897 (C. C. sec. 4423) by providing a mileage tax levy for cemetery maintenance purposes, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 373, a bill for an act to repeal chapter thirty-seven (37) of the acts of the Thirty-ninth General Assembly (C. C. sup. chap. 12-a, title XIII) relating to the maintenance and employment of a band for musical purposes, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

W. G. HASKELL, *Chairman*.

Senator Shane asked for a roll call.

On the question "Shall the report be adopted?" the vote was:

Ayes, 19

Abben	Fulton	McIntosh	Slosson
Brookhart	Gilchrist	Perkins	Stoddard
Brookins	Haskell	Romkey	Thurston
Browne	Holdoegel	Shaff	Wichman
Dutcher	Horchem	Shane	

Nays, 23

Adams	Campbell	Johnston	Price
Baird	Cessna	Kimberly	Reed
Banta	Ethell	Mead	Shinn
Bergman	Goodwin	Nelson	Smith
Buser	Hale	Newberry	Tuck
Caldwell	Hartman	Oison	

Absent or not voting, 7

Bowman	Mantz	Scott	White
Darting	Rees	Snook	

The report was rejected and the bill placed on the calendar.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 499, a bill for an act to amend section six hundred ninety-seven (697) of the code, (C. C. 3596), relating to the power of cities and towns over cemeteries, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out section two (2), the publication clause.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 450, a bill for an act to amend section seven hundred two (702) of the code of 1897 (C. C. 3605) relating to the powers of cities and towns, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Senator Buser submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred House File No. 56, a bill for an act to amend revise and codify section eleven hundred ninety-nine (1199) of the compiled code of Iowa, relating to fences, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out section six (6).

J. D. BUSER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File No. 515, a bill for an act to amend the law as it appears in section ten (10) of chapter two hundred eighty-seven (287) acts of the Thirty-eighth General Assembly as amended by section one (1) of chapter forty-four (44) of the acts of the Thirty-ninth General Assembly (C. C. Supplement 1740) relating to the control and suppression of dangerous, contagious and infectious diseases of domestic animals, begs leave to report it has had the same under consideration and recommends the same do pass.

J. D. BUSER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred House File No. 383, a bill for an act to amend section fifteen hundred sixty-five-b (1565-b) of the supplement to the code, 1913, (C. C. 3002) relating to noxious weeds, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. D. BUSER, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Senator Cessna escorted ex-Senator Kimball of Council Bluffs to the desk.

Senator Kimball addressed the Senate briefly.

HOUSE AMENDMENTS CONSIDERED

Senator Reed called up Senate File No. 225, amended by the House, and moved that the Senate concur in the following amendments:

Amend section two (2) by striking out of line three (3) thereof the word "and" and substituting in lieu thereof the word "or".

Amend section four (4) by striking out of line fifty-one (51) thereof the words and figures "one dollar (\$1.00)" and inserting in lieu thereof the words and figures "two dollars (\$2.00)".

On the question "Shall the Senate concur?" the vote was:

Ayes, 15

Abben
Bergman
Brookhart
Buser

Dutcher
Fulton
Haskell
Holdoegel

Horchem
Johnston
Nelson
Newberry

Olson
Reed
Shane

Nays, 20

Banta
Brookins
Caldwell
Campbell
Cessna

Ethell
Gilchrist
Goodwin
Hale
Hartman

Kimberly
McIntosh
Perkins
Price
Shinn

Slosson
Smith
Stoddard
Tuck
Wichman

Absent or not voting, 14

Adams
Baird
Bowman
Browne

Darting
Mantz
Mead
Rees

Romkey
Scott
Shaff
Snook

Thurston
White

The Senate refused to concur in the House amendments.

INTRODUCTION OF BILLS

Senate File No. 562, by Senator Kimberly, a bill for an act to authorize the retention of feeble-minded persons with criminal tendencies, who are inmates of penal institutions, in such institutions after the expiration of their sentence.

Read first and second times and referred to committee on charitable, correctional and penal institutions.

Senate File No. 563, by committee on banks and banking, a bill for an act to amend section eighteen hundred seventy-seven (1877) of the code. (C. C. sec. 5803), relating to receiverships for banks.

Read first and second times and ordered placed on the calendar.

Senate File No. 564, by Senator Newberry, a bill for an act to amend chapter twenty (20), title XXV, of the code of 1897 (C. C. chapter 38, title XXXIV), relating to the filing of demurrers in criminal cases.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 565, by Senator Cessna, a bill for an act to repeal chapter one hundred thirty-four (134), acts of the Thirty-sixth (36) General Assembly (S. C. C. titl. XII, chap. 22), relating to the certification and examination of public accountants.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 566, by Senator Hartman, a bill for an act appropriating the sum of three hundred twenty-six dollars and ninety-five cents (\$326.95) to reimburse George W. Metcalf, editor of the Lansing Mirror, for printing done by Mr. Metcalf on order of the motor transport committee of the state council of defense.

Read first and second times and referred to committee on claims.

Senate File No. 567, by Senator Ethell, a bill for an act to pension survivors of the Captain John W. Ferguson's Company of State Militia known as "Davis County Regulators", providing the amount of such pension, the method of payment, and making an appropriation thereof.

Read first and second times and referred to committee on military affairs.

Senate File No. 568, by Senator Brookhart, a bill for an act authorizing the executive council to exchange certain lands belonging to the state for other lands.

Read first and second times and referred to committee on board of control.

AMENDMENT FILED

I move to amend House File No. 206 by striking out all after the enacting clause, and substituting in lieu thereof the following:

"Section 1. That section five thousand four hundred and seventy-eight (5478) of the compiled code, be and the same is hereby repealed and the following enacted in lieu thereof:

"Stock companies organized to transact business under the provisions of chapter two (2) title 18 of the compiled code, shall have not less than one hundred thousand dollars (\$100,000.00) of capital stock paid up in cash and when first authorized to write insurance shall have a cash surplus in an amount equal to twenty-five (25) per cent of the paid up capital stock, which capital stock shall be invested as provided by section five thousand five hundred thirty-two (5532) of the compiled code, and such securities shall be deposited with the commissioner of insurance and when such deposit is made and evidence furnished, by affidavit or otherwise, satisfactory to the commissioner that the capital stock is all fully paid and the company possessed of the surplus required and that the company is the actual and unqualified owner of the securities representing the paid-up capital stock or other funds of the company, and all laws have been complied with, he shall issue to such company the certificate hereinafter provided for. No part of the capital or other funds shall be loaned directly or indirectly to any officer, direc-

tor, stockholder or employee of the company or directly or indirectly to any relative of any officer or director of such company. No such company shall make any loan upon its own stock as collateral, or directly or indirectly make any loan to or invest any of its funds in the property of any corporation, firm, association or trustees of which any officer or director of the insurance company is also an officer, director, stockholder, member or trustee of such other corporation, firm, association, or trustees."

FRANK SHANE.

On motion of Senator Wichman, the Senate adjourned until 9 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 8, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. Frank McKeon, pastor of Central Presbyterian church of Des Moines, Iowa.

On motion of Senator Ethell rule 33 was suspended for the day.

INTRODUCTION OF BILLS

Senate File No. 569, by committee on pharmacy, a bill for an act to amend section two thousand five hundred ninety-six-b (2596-b) of the supplement to the code, 1913 (C. C. 1431) relating to the penalty for the sale of certain drugs.

Read first and second times and ordered placed on the calendar.

Senate File No. 570, by Senator Gilchrist, a bill for an act to amend section ten hundred eighty-seven-a twenty-five (1087-a25) and section ten hundred eighty-seven-a twenty-seven (1087-a27) of the supplement to the code, 1913, and to provide for representation by both men and women on the central committee of political parties.

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

Senate File No. 571, by committee on military affairs, a bill for an act providing for the completion of the roster of Iowa soldiers, sailors and marines as provided for by chapter three hundred thirty-one (331) laws of the Thirty-eighth (38th) General Assembly and making an additional appropriation therefor.

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

Senate File No. 572, by committee on military affairs, a bill for an act providing for the support and maintenance of the Iowa

National Guard Reservation, Camp Dodge, and making an appropriation therefor.

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File No. 271, a bill for an act to further define the crime of manslaughter in the case of death resulting from the consuming of intoxicating liquor, relating to title twenty-four (24) of the code of 1897 (C. C. title 23), of crimes and punishments.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 399, a bill for an act to legalize \$105,000.00 school building bonds dated May 1, 1920, of the independent school district of Greene, Butler County, Iowa.

Also, 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 the law as it appears in the following sections, to-wit: Sections two thousand four hundred thirteen (2413) of the supplemental supplement to the code, 1915, as amended by chapter three hundred twenty-two (322) of the acts of the Thirty-seventh General Assembly, (C. C. 974); section two thousand four hundred fourteen (2414) of the code (C. C. 975); section twenty-four hundred fifteen (2415) of the supplemental supplement, 1915, as amended by chapter three hundred twenty-two (322), acts of the Thirty-seventh General Assembly (C. C. 976); and section two thousand four hundred sixteen (2416) of the code, as amended by chapter two hundred sixty-six (266), acts of the Thirty-eighth General Assembly (C. C. 977), and to enact substitutes therefor, relating to the information as to search warrants, providing for the seizure of intoxicating liquors and the seizure of instruments and material used in the manufacturing of intoxicating liquors and providing for the forfeiture and confiscation of intoxicating liquor and instruments and material used in the manufacturing of such liquors and for the disposition of the articles forfeited and their return when not forfeited.

Also, that the House insists on its amendment to Senate File 227, a bill for an act to amend, revise and codify section seven thousand one hundred forty-eight (7148) of the compiled code of Iowa, relating to the place of bringing actions, and asks for a conference committee and the Speaker has appointed as such committee on the part of the House Representatives Clark, Parson, Edson and Lovrien.

A. C. GUSTAFSON, *Chief Clerk.*

On motion of Senator Thurston the resolution from the co-operative legislative council was ordered printed in the Journal.

RESOLUTION OF CONDOLENCE

Whereas. The All-wise Creator, who doeth all things for the best, has caused the grim reaper—death—to visit the home of our beloved citizen and ever faithful public servant, Senator D. C. Chase, and remove therefrom the husband and father of that household, and

Whereas. In the death of Senator Chase, the State of Iowa and the community in which he resided has suffered the loss of one whose place will be hard to fill, and his family a kind, loving and ever dutiful husband and father, and

Whereas, His long years of service in the legislative halls of Iowa, and in other lines of public duty, has endeared him to all who were privileged to know him and to be associated with him, therefore, be it

Resolved, By the Co-Operative Legislative Council of Iowa, in general meeting assembled, this fifth day of March, 1923, that we, the representatives of more than a quarter of a million farmers and industrial workers in Iowa, recognize in the death of Senator Chase the loss of a most valuable citizen; a true friend; courageous, upright and honest in all things for the benefit of the state he so ably and honorably represented, and for the uplift and betterment of humanity everywhere.

Resolved, That a copy of this resolution be spread upon the records of the Co-Operative Legislative Council; a copy forwarded to the widow and family of Senator Chase, and to the Senate and House of Representatives of the Fortieth General Assembly of Iowa, and that copies be furnished the press of Des Moines and Webster City for publication.

JAMES STEDMAN,
J. A. GIBSON,
THOS. P. MENTON,
Committee.

The report of the committee on judiciary No. 1 on Senate File 269 was adopted and the bill indefinitely postponed.

THIRD READING OF BILLS

On motion of Senator Shinn Senate File No. 291, a bill for an act to amend section fifty-seven hundred eighteen-a eighteen (5718-a-18), supplement to the code, 1913, relating to paroles, 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 "penitentiary" in line four of section one thereof, and by substituting in lieu thereof the word "penitentiaries",

Senator Hale raised the point of order that Senator Brookins interrogation was a debate.

The President held the point well taken.

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

Senator Shinn invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 20

Brookhart	Cessna	Johnston	Newberry
Browne	Darting	McIntosh	Romkey
Buser	Ethell	Mantz	Shaff
Caldwell	Hale	Mead	Shinn
Campbell	Hartman	Nelson	Snook

Nays, 24

Abben	Dutcher	Kimberly	Shane
Adams	Gilchrist	Perkins	Slosson
Baird	Goodwin	Price	Smith
Banta	Haskell	Reed	Stoddard
Bergman	Holdoegel	Rees	White
Brookins	Horchem	Scott	Wichman

Absent or not voting, 5

Howman	Olson	Thurston	Tuck
Fulton			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

By unanimous consent Senator Kimberly withdrew Senate File No. 393 from further consideration.

On motion of Senator Reed Senate File No. 504, a bill for an act to amend the law as it appears in section one thousand nine hundred and twenty-16 (1920-16) of the supplement to the code, 1913, relating to the sale of stocks and bonds and other securities, providing for issuance of a permit by the secretary of state, and the cancellation thereof, for the investigation of the securities to be offered for sale and the furnishing of a bond by such broker, and providing for the forfeiture thereon and the amount of liability on said bond, 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 reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 44

Abben	Brookhart	Darting	Goodwin
Adams	Brookins	Dutcher	Hale
Baird	Browne	Ethell	Hartman
Banta	Buser	Fulton	Haskell
Bergman	Cessna	Gilchrist	Holdoegel

Horchem	Nelson	Rees	Slosson
Johnston	Newberry	Romkey	Smith
Kimberly	Olson	Scott	Snook
McIntosh	Perkins	Shaff	Stoddard
Mantz	Price	Shane	White
Mead	Reed	Shinn	Wichman

Nays, none

Absent or not voting, 5

Bowman	Campbell	Thurston	Tuck
Caldwell			

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

Senator Reed moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator McIntosh, Senate File No. 298, a bill for an act to amend sections ten hundred eighty-seven-a-four (1087-a-4), ten hundred eighty-seven-a nineteen (1087-a-19), ten hundred eighty-seven-a twenty-two (1087-a-22) and ten hundred eighty-seven-a twenty-four-a (1087-a-24-a) of the supplement to the code, 1913 (C. C. sec. 366-380-384-387) relating to the time of holding the primary election, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause and substituting the following in lieu thereof:

Section 1. That section one thousand eighty-seven-a four (1087-a4) supplement to the code, 1913 (C. C. sec. 366), is hereby repealed and the following is enacted in lieu thereof. The primary election herein provided for shall consist of an election by all political parties and shall be held at the usual voting places of the several precincts in each year in which there is a presidential election, on the last Monday of April, and in each year when there is a general election other than presidential election years, on the first Monday of August, for the nomination of candidates for such offices as are to be filled in the general election in November next ensuing (except candidates for the office of judge of supreme court and district court), for senator in the congress of the United States in the next year preceding the filling of that office, for the electors of the president and vice-president of the United States, and for the office of president of the United States, in the year in which the president and vice-president are to be elected.

Sec. 2. At the primary in the years when a president of the United

States is to be elected, the names of the candidates for president of the United States who have qualified as hereinafter provided, shall be placed on the party ticket of the party in which the candidate has qualified, in the order in which the qualifications are filed with the secretary of state, and shall be voted on at the primary in the same manner as other candidates are voted for, and the candidate of each party receiving the highest number of votes at the primary election shall have the right to select the delegates to the national convention, providing that said selection is filed with the secretary of state prior to the time of holding the state convention as provided by law, and if such candidate fails to make the **selection before said date**, then the state convention shall select the delegates to the national convention as provided by law.

Sec. 3. Only such political parties as are eligible under the law to place candidates on the primary ticket for the office of governor of state shall be entitled to place the name of candidates for president of the United States upon the primary ballot.

Sec. 4. Each candidate for president of the United States shall qualify by filing in the office of the secretary of state, at least thirty days before the primary election, an affidavit substantially in the following form:

"I, being first duly sworn on oath do say, that I reside at.....street in the city of..... in the county of.....and state of..... That I am.....years of age and I am eligible to the office of president of the United States. That I affiliate with the.....party; that I am a candidate for nomination to the office of president of the United States to be made at the primary election to be held May....., 19..., and I hereby request that my name be printed on the official primary ballot as provided by law as a candidate of the.....party for the office of president of the United States. I further declare that if I am nominated and elected I will qualify for such office.

(Signed)

Subscribed and sworn to (or affirmed) before me by..... on this.....day of....., A. D. 19....

Which said affidavit shall be sworn to before an officer with a seal qualified to take oaths.

Sec. 5. That sections one thousand eighty-seven-a nineteen (1087-a19), one thousand eighty-seven-a twenty-two (1087-a22), and one thousand eighty-seven-a twenty-four (1087-a24), supplement to the code, 1913 (C. C. secs. 380, 384 and 387), are hereby amended by striking out the word "June" wherever the same is found in any of said sections.

Sec. 6. That section one thousand eighty-seven-a ten (1087-a10) supplement to the code, 1913 (C. C. sec. 368), is amended by striking out the word "June" wherever the same appears in said section, and in lieu thereof leaving a blank in which to write the name of the month.

Sec. 7. That section one thousand eighty-seven-a twenty-five (1087-a25) supplement to the code, 1913 (C. C. sec. 388), is hereby amended by striking out the word, "fourth" in the fifth line of said section, and substituting in lieu thereof the word, "third".

Senator Fulton raised the point of order that the amendment offered by Senator Brookhart was not an amendment to the bill; that it dealt with a matter entirely foreign and should appear as a bill rather than as an amendment.

The president held the point not well taken; that the amendment, in the way it was offered, as a substitute, could be considered under the rules.

By unanimous consent on request of Senator Brookhart the word "May" was stricken from line 12 of section 4 of the amendment.

By unanimous consent on request of Senator Brookhart the words "for president" were inserted in line 8 of section 2 after the word "candidate".

Senator Campbell moved that further consideration of this matter be deferred until tomorrow at 10 a. m., which motion prevailed.

On motion of Senator Abben, Senate File No. 496, a bill for an act to amend section two (2) chapter 335 of the acts of the 38th General Assembly (C. C. 5754) relating to the fees for examining banks, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 35

Abben	Darting	Horchem	Scott
Adams	Ethel	Johnston	Shane
Baird	Fulton	Kimberly	Snook
Banta	Gilchrist	Mantz	Stoddard
Bergman	Goodwin	Newberry	Thurston
Bowman	Hale	Perkins	Tuck
Brookhart	Hartman	Reed	White
Brookins	Haskell	Rees	Wichman
Campbell	Holdoegel	Ronikey	

Nays, 8

Browne	Caldwell	Mead	Shinn
Fuser	McIntosh	Nelson	Smith

Absent or not voting, 6

Cessna	Olson	Shaff	Slosson
Dutcher	Price		

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

On motion of Senator Shane Senate File No. 511 was made a special order for March 15th, at 10:30 a. m.

On motion of Senator Tuck House File No. 269, a bill for an act to repeal section four (4), chapter two hundred thirty-seven (237) acts of the 38th General Assembly as amended by chapter twenty (20) acts of the 39th General Assembly and enact a substitute therefor, and to amend section six (6) of said chapter as amended by chapter twenty (20), acts of the 39th General Assembly, relating to the construction, improvement and maintenance of 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:

Amend by adding after the word "way" appearing in line nineteen (19) of paragraph two (2) of section one (1) thereof the following: "and the damages incident thereto,"

Also, amend by striking out the words "or for any other purpose" in line twenty (20) of paragraph two (2) of section one (1).

Also, amend by striking beginning after the word "fund" in line 32 of paragraph 2 of section 1 the following: ", or for the purchase of such additional right of way out of the county road building fund" and inserting a period after the said word "fund."

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by adding after the period (.) following the word "system" in line twenty-six (26) and before the word "The" in said line the following:

"Where additional right of way for primary road system has been taken in any county and paid for out of other road funds since chapter two hundred thirty-seven (237) acts of the Thirty-eighth General Assembly has been in effect, the board of supervisors of such county is authorized to transfer from the primary road fund to such other road fund the amount expended for such right of way."

On the question "Shall the amendment be adopted" the vote was:

Ayes, 44

Abben
Adams
Baird
Bowman
Brookhart
Brookins
Browne
Buser
Campbell
Cessna
Darting

Dutcher
Ethell
Fulton
Gilchrist
Goodwin
Hale
Hartman
Haskell
Holdoegel
Horchem
Johnston

Kimberly
McIntosh
Mantz
Mead
Nelson
Newberry
Perkins
Price
Reed
Rees
Romkey

Shaff
Shane
Shinn
Slosson
Smith
Snook
Stoddard
Thurston
Tuck
White
Wichman

Nays, 1

Caldwell

Absent or not voting, 4

Banta

Bergman

Olson

Scott

The amendment was adopted.

Senator Wichman offered the following amendment to the amendment and moved its adoption:

Amend by striking out the word "road" in line 2 so that it will read "paid for out of other funds."

The amendment to the amendment was adopted.

Senator Wichman offered the following amendment to the amendment and moved its adoption:

Amend by striking the word "road" from the end of line 8.

The amendment was adopted.

The bill was read for information.

Senator Tuck moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 48

Abben	Cessna	Johnston	Scott
Adams	Darting	Kimberly	Shaff
Baird	Dutcher	McIntosh	Shane
Banta	Ethell	Mantz	Shinn
Bergman	Fulton	Mead	Slosson
Bowman	Gilchrist	Nelson	Smith
Brookhart	Goodwin	Newberry	Snook
Brookins	Hale	Perkins	Stoddard
Browne	Hartman	Price	Thurston
Buser	Haskell	Reed	Tuck
Caldwell	Holdoegel	Rees	White
Campbell	Horchem	Romkey	Wichman

Nays, none

Absent or not voting, 1

Olson

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Gilchrist offered the following amendment to the title and moved its adoption:

Amend the title by striking the period (.) from the end thereof and inserting in lieu thereof a comma (,) and adding the following: "and to provide for the transfer of funds from the primary road fund in certain cases."

The amendment was adopted and the title as amended was agreed to.

Senator Tuck moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent Senator Ethell withdrew Senate File No. 300 from further consideration.

On motion of Senator Ethell Senate File No. 137 was returned to the committee on county and township affairs.

By unanimous consent Senator Bowman withdrew Senate File 268 from further consideration.

On motion of Senator McIntosh, Senate File No. 421, a bill for an act to legalize certain elections, ordinances and acts of the town of Grand River, Decatur County, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator McIntosh moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes 37

Abben	Ethell	Mantz	Shane
Baird	Fulton	Nelson	Slosson
Banta	Gilchrist	Newberry	Smith
Brookhart	Goodwin	Perkins	Snook
Brookins	Hale	Price	Thurston
Browne	Hartman	Reed	White
Buser	Holdoegel	Rees	Wichman
Caldwell	Horchem	Romkey	
Cessna	Kimberly	Scott	
Darting	McIntosh	Shaff	

Nays, none

Absent or not voting, 12

Adams	Campbell	Johnston	Shinn
Bergman	Dutcher	Mead	Stoddard
Bowman	Haskell	Olson	Tuck

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

On motion of Senator Holdoegel Senate File No. 534, a bill

for an act to amend section 1877 of the code of 1897 by adding thereto provisions for examination, at the instance of receivers appointed thereunder, of persons suspected of having taken wrongful possession of any of the effects of a state or savings bank, etc., with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 39

Abben	Campbell	McIntosh	Shane
Adams	Cessna	Mantz	Shinn
Baird	Darting	Mead	Slosson
Banta	Ethell	Nelson	Smith
Bowman	Fulton	Newberry	Snook
Brookhart	Hale	Perkins	Stoddard
Brookins	Haskell	Price	Thurston
Browne	Holdoegel	Romkey	White
Buser	Horchem	Scott	Wichman
Caldwell	Johnston	Shaff	

Nays, none

Absent or not voting, 10

Bergman	Goodwin	Olson	Tuck
Dutcher	Hartman	Reed	
Gilchrist	Kimberly	Rees	

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

Senator Holdoegel moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On the motion of Senator Brookhart Senate File No. 532, a bill for an act to amend chapter three hundred sixty-seven (367), acts of the Thirty-seventh (37th) General Assembly (C. C. sec. 3593); section seven hundred twenty-six (726), supplemental supplement to the code, 1915 (C. C. sec. 3638); section two (2) of chapter three hundred twelve (312), acts of the Thirty-eighth (38th) General Assembly (C. C. sec. 3675); section seven hundred sixty-six-c (766-c), supplement to the code, 1913 (C. C. sec. 3796); section eight hundred forty-three (843) of the code (S. C. C. sec. 3957); section four (4), chapter two hundred eighty-eight (288), acts of the Thirty-eighth (38th) General Assembly, as amended by section one (1), chapter eighty-two (82),

acts of the Thirty-ninth (39th) General Assembly (S. C. C. sec. 3997); section twelve (12), chapter two hundred eighty-eight (288), acts of the Thirty-eighth (38th) General Assembly, as amended by section two (2), chapter eighty-two (82), acts of the Thirty-ninth (39th) General Assembly (S. C. C. sec. 4005); section nine hundred six (906) of the code (C. C. sec. 4061); section nine hundred eighty-seven (987) of the code (C. C. sec. 4403); section nineteen hundred fifty-three (1953) of the code (C. C. sec. 4795); section nineteen hundred eighty-nine-a twenty-seven (1989-a27), supplement to the code, 1913 (C. C. sec. 4875); section four hundred three (403), supplement to the code, 1913 (C. C. sec. 3261), and section one (1), chapter two hundred thirty-nine (239), acts of the Thirty-eighth (38th) General Assembly (C. C. sec. 3309), relating to the rate of interest on bonds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 43

Abben	Darting	Kimberly	Scott
Adams	Ethell	McIntosh	Shane
Baird	Fulton	Mantz	Shinn
Bergman	Gilchrist	Mead	Slosson
Bowman	Goodwin	Nelson	Smith
Brookhart	Hale	Newberry	Snook
Browne	Hartman	Perkins	Stoddard
Buser	Haskell	Price	Thurston
Caldwell	Holdoegel	Reed	White
Campbell	Horchem	Rees	Wichman
Cessna	Johnston	Romkey	

Nays, 1

Brookins

Absent or not voting, 5

Banta	Olson	Shaft	Tuck
Dutcher			

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

Senator Brookhart moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Brookhart, House File No. 357, a bill for an act to repeal paragraph seven (7) of section 1, chapter 49, acts of the Thirty-seventh General Assembly, relating to the fees of the sheriff for collecting and paying over money, 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 words "General Assembly" in the title of the printed bill, the compiled code reference, "(C. C. 3206)".

Also amend by inserting after the words "General Assembly" in section 1 of the printed bill, the compiled code reference "(C. C. 3206)".

Further action was deferred.

CONFERENCE COMMITTEE ON SENATE FILE 227

The House having insisted on its amendments to Senate File No. 227 and appointed a conference committee, the President appointed as members of the conference committee on the part of the Senate, Senators Reed, Darting, White and Slosson.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 157, 341, 113, 96, 382, 79, 405 and 365.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

REPORTS OF COMMITTEE

Senator Smith submitted the following reports:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File No. 471, a bill for an act to amend the law as it appears in section 1407 of the supplement to the code, 1913, (C. C. 653) relating to the collection of delinquent personal tax, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ED. M. SMITH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File No. 470, a bill for an act to repeal section 1415 of the supplement to code 1913, (C. C. 4660) relating to apportionment of tax and interest and enacting a substitute therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

ED. M. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File No. 376, a bill for an act to amend section thirteen hundred eighty-seven (1387) of the code (C. C. 4610), relating to the annual tax list, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out all of line nine of section one, and by changing the comma (,) following the word "payable" in line eight of section one, to a period (.).

ED. M. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred House File No. 16, a bill for an act to amend, revise, and codify chapter fourteen (14) of title two (2) of the compiled code of Iowa, relating to the census, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out of line 3 of section 14, the words, "available statistics relative to", and inserting in lieu thereof the words, "other statistics in reference to the banking, railroads, insurance, manufactures, education and".

ED. M. SMITH, *Chairman*.

Ordered passed on file.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: House Files Nos. 38, 150, 232, 368 and 263, and Senate Files Nos. 79, 365, 405, 382, 96, 113, 341 and 157.

Senator Price moved that the Senate adjourn until 1:30 p. m.

Senator Newberry moved to amend by making the hour 2:30 p. m.

Senator Stoddard requested the hour be made 3 p. m., which request was agreed to by Senator Newberry.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 3 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Olson from voters of Story county endorsing the teachers' annuity bill. Schools.

By Senator Banta from the board of education of Independence endorsing the teachers' annuity bill. Schools.

By Senator Mantz from voters of the seventeenth district endorsing Senate File 299 relative to primary elections. Elections.

By Senator McIntosh from citizens of Boone endorsing Senate File 299 relative to primary elections. Elections.

By Senator McIntosh from voters of Valley Junction endorsing Senate File 299 relative to primary elections. Elections.

By Senator McIntosh from the Dubuque Typographical Union endorsing Senate File 299. Elections.

By Senator McIntosh from voters of Dubuque endorsing Senate File 299. Elections.

By Senator McIntosh from working women of Dubuque endorsing House File 478 limiting working hours for women. Labor.

By Senator McIntosh from the Lamoni board of education opposing repeal of the teachers' minimum wage law and reduction of tuition chargeable for non-resident pupils. Schools.

By Senator McIntosh from the American Legion Auxiliary of Leon opposing the proposed repeal of the soldiers' and sailors' tax exemption law. Military affairs.

By Senator McIntosh from the Farmers' Union Local No. 167, Leon, relative to Senate Files 279, 301, 303, 306, 307, 310, 311, 323, 273, 269, and 267.

REPORTS OF COMMITTEES

Senator Kimberly submitted the following report:

MR. PRESIDENT: Your committee on board of control to which was referred Senate File No. 568, a bill for an act authorizing the executive council to exchange certain lands belonging to the state for other lands, begs leave to report it has had the same under consideration and recommends the same do pass.

D. W. KIMBERLY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on board of control to which was referred House File No. 372, a bill for an act to repeal the law as it appears in section 6, chapter 37, acts of the Thirty-seventh General Assembly, and section 3, chapter 297, acts of the Thirty-ninth General Assembly, and to enact substitutes therefor; and to amend sections 11 and 12, chapter 165, acts of the Thirty-eighth General Assembly, and sections 2 and 7, chapter 37, acts of the Thirty-eighth General Assembly; relating to the support funds of the various state institutions under the supervision of the board of control of state institutions, begs leave to report it has had the same under consideration and recommends that after reference to the committee on appropriations the same do pass.

D. W. KIMBERLY, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Senator Price submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred Senate File No. 441, a bill for an act to amend chapter three hundred one (301) of the acts of the Thirty-ninth (39th) General Assembly, relating to public health, begs leave to report it has had the same under consideration and recommends the same be referred to committee on appropriations.

JNO. R. PRICE, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Senator Ethell, 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. 135, a bill for an act to amend, revise and codify sections thirty-two hundred five (3205) and thirty-two hundred six (3206) of the compiled code of Iowa, relating to the sheriff, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by reinstating paragraph seventeen (17) of said section as it appears in the original bill.

Also amend said bill by adding to section two (2) thereof, the following: "All other fees which he receives for services performed in his official capacity or by virtue of his office, shall be promptly paid by him into the county treasury."

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred Senate File No. 139, a bill for an act to amend, revise and codify chapter eleven (11) of title twelve (12) of the compiled code of Iowa, relating to county bonds, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend section 2 of said bill by inserting the words "of the first class" between the words "cities" and "levying" in line 1 of said section 2.

Amend section 3 by striking out the blank space in line 10 of said section between the words "payable" and "annually" in said line and inserting in lieu thereof the word "semi".

Amend section 18 by inserting after the word "purpose" in line 6 of said section, the words, "and no other,".

Amend section 19 by inserting between the words "defense" and "to" in line 8 of said section, the words, "in any action".

Amend section 20 by striking out the period (.) at the end thereof and inserting in lieu thereof a comma (,) and adding the following, "that a judgment entered on any criminal charge growing out of any violation of this chapter shall not be a bar on any action on a bond or otherwise."

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred Senate File No. 140, a bill for an act to amend, revise and codify sections thirty-two hundred seventy-eight (3278), thirty-two hundred seventy-nine (3279), thirty-two hundred eighty-three (3283), thirty-two hundred eighty-seven (3287), thirty-two hundred eighty-nine (3289), and thirty-two hundred ninety-three (3293) of the compiled code of Iowa, relating to the support of the poor, beg leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Senator Scott submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was rereferred Senate File No. 409, a bill for an act to amend the law as it appears in section thirteen (13), chapter one hundred eighty (180), acts of the Thirty-seventh General Assembly (C. C. sec. 5720), relating to the an-

nual taxation of premiums collected from subscribers under inter-insurance contracts, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

That the period (.) following the word, "savings," in the last line of section thirteen (13), chapter one hundred eighty (180), acts of the 37th G. A. (C. C. sec. 5720) be stricken and a comma (,) substituted therefor, and the following added: "and after deducting the amount actually paid for losses on property located within this state or on claims arising within this state, and the amount returned upon cancelled policies and rejected applications covering property situated or on business done within this state".

Also that a comma (,) be inserted after the word "organization", in line eight (8) of section one (1) of said bill; and also that a comma (,) be inserted after the word, "organization", in line nine (9) of said bill.

R. P. SCOTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 397, a bill for an act amending section seventeen hundred and nine (1709) supplement to the code 1913, (C. C. 5627), relating to insurance other than life, begs leave to report it has had the same under consideration and recommends the same do pass.

R. P. SCOTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred House File No. 360, a bill for an act to amend sections four, (4), eleven (11), and twelve (12), of chapter one hundred twenty (120), of the acts of the Thirty-ninth General Assembly, relating to mutual insurance associations, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

R. P. SCOTT, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 478, a bill for an act amending section seventeen hundred fifty-three (1753) of the code, 1897, (C. C. 5668), relating to examination of foreign insurance companies, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

R. P. SCOTT, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred

Senate File No. 227, a bill for an act to amend the law as the same appears in chapter eight-a title XII (8-a title XII) supplement to the code, 1913, (C. C. chap. 3 title V), relating to employers' liability and workmen's compensation for personal injuries sustained by an employe, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

R. P. SCOTT, *Chairman*.

Senator Wichman moved that Senate File No. 327 be rereferred to the committee on judiciary No. 2.

Senator Campbell asked for a roll call.

On the question "Shall the motion prevail and the bill be rereferred?" the vote was:

Ayes, 26.

Baird	Holdoegel	Price	Stoddard
Bowman	Horchem	Reed	Thurston
Brookhart	Johnston	Romkey	Tuck
Campbell	Nelson	Scott	White
Cessna	Newberry	Shane	Wichman
Ethell	Olson	Slosson	
Gilchrist	Perkins	Snook	

Nays, 14.

Adams	Dutcher	Hartman	McIntosh
Bergman	Fulton	Haskell	Mantz
Brookins	Goodwin	Kimberly	Shaff
Darting	Hale		

Absent or not voting, 9.

Abben	Buser	Mead	Shinn
Banta	Caldwell	Rees	Smith
Browne			

The motion prevailed and the bill rereferred to committee on judiciary No. 2.

The report of the ways and means committee on Senate File No. 471 was taken up and considered.

Senator Wichman asked that the report be rejected and the bill be placed on the calendar.

The report was rejected and the bill was ordered placed on the calendar.

THIRD READING OF BILLS

The Senate resumed consideration of House File 357.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by inserting the following as section 3:

Section 3. Where property has heretofore been sold at sheriff's sale and the time of redemption has not expired and the debtor redeems from the sale the county shall refund to the debtor the fees collected by the sheriff at the time of the sale," and by renumbering section 3 as section 4.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 43.

Abben	Fulton	Mantz	Shane
Adams	Gilchrist	Nelson	Shinn
Baird	Goodwin	Newberry	Slosson
Banta	Hale	Olson	Smith
Bowman	Hartman	Perkins	Snook
Brookhart	Haskell	Price	Stoddard
Caldwell	Holdoegel	Reed	Thurston
Campbell	Horchem	Rees	Tuck
Cessna	Johnston	Romkey	White
Darting	Kimberly	Scott	Wichman
Dutcher	McIntosh	Shaff	

Nays, none.

Absent or not voting, 6.

Bergman	Browne	Ethell	Mead
Brookins	Buser		

The amendment was adopted.

The bill was read for information.

Senator Brookhart moved that the reading just had be considered its third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Abben	Dutcher	Mead	Slosson
Adams	Fulton	Nelson	Smith
Baird	Gilchrist	Newberry	Snook
Banta	Goodwin	Perkins	Stoddard
Bergman	Hartman	Price	Thurston
Bowman	Holdoegel	Reed	Tuck
Brookhart	Horchem	Romkey	White
Buser	Johnston	Scott	Wichman
Caldwell	Kimberly	Shaff	
Campbell	McIntosh	Shane	
Darting	Mantz	Shinn	

Nays, none.

Absent or not voting, 8.

Brookins	Cessna	Hale	Olson
Browne	Ethell	Haskell	Rees

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:

Amend by striking the period (.) from the end thereof and inserting a comma (,) in lieu thereof and adding the words "and providing for refund in certain cases".

On the question "Shall the amendment to the title be adopted?" the vote was:

Ayes, 41.

Abben	Ethell	Mantz	Slosson
Adams	Fulton	Nelson	Smith
Baird	Gilchrist	Newberry	Snook
Bergman	Goodwin	Olson	Stoddard
Bowman	Hale	Perkins	Thurston
Brookins	Hartman	Price	Tuck
Caldwell	Haskell	Reed	White
Campbell	Holdoegel	Romkey	Wichman
Cessna	Horchem	Shaff	
Darting	Kimberly	Shane	
Dutcher	McIntosh	Shinn	

Nays, none.

Absent or not voting, 8.

Banta	Browne	Johnston	Rees
Brookhart	Buser	Mead	Scott

The amendment to the title was adopted and the title as amended was agreed to.

On motion of Senator Stoddard House File No. 380, a bill for an act to amend section twenty-eight hundred twelve-d (2812-d), supplement to the code, 1913 (C. C. 2660), relating to school building 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 Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Abben	Darting	Kimberly	Shane
Baird	Dutcher	McIntosh	Slosson
Banta	Ethell	Mantz	Snook
Bergman	Fulton	Mead	Stoddard
Brookhart	Gilchrist	Newberry	Thurston
Brookins	Goodwin	Perkins	Tuck
Browne	Hartman	Price	White
Buser	Haskell	Romkey	Wichman
Caldwell	Holdoegel	Scott	
Campbell	Horchem	Shaff	

Nays, none.

Absent or not voting, 11.

Adams	Hale	Olson	Shinn
Bowman	Johnston	Reed	Smith
Cessna	Nelson	Rees	

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

BILLS SENT TO THE GOVERNOR

Senator Gilchrist, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports it has on this 8th day of March, 1923, sent to the governor for his approval, Senate Files Nos. 341, 157, 113, 96, 382, 79, 405 and 365.

F. C. GILCHRIST, *Chairman*.

Passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports it has examined and finds correctly enrolled House Files Nos. 226, 279 and 359.

F. C. GILCHRIST, *Chairman Senate Committee*.

C. F. LETTS, *Chairman House Committee*.

Report adopted.

By unanimous consent on request of Senator Shinn two hundred fifty extra copies of Senate File No. 526 were ordered printed.

By unanimous consent Senator Tuck withdrew Senate File No. 275 from further consideration.

By unanimous consent Senator Thurston withdrew Senate File No. 487 from further consideration.

By unanimous consent Senator Brookhart withdrew Senate File No. 533 from further consideration.

INTRODUCTION OF BILLS

Senate File No. 573, by Senator Stoddard, a bill for an act to amend section fourteen hundred eighty-seven (1487) of the code (C. C. 2799), and section fifteen hundred twenty-seven-r4 (1527-r4)

supplemental supplement to the code, 1915, (C. C. 2831) relative to the condemnation of land for road purposes.

Read first and second times and referred to committee on highways.

Senate File No. 574, by Senator Stoddard, a bill for an act for the dissemination among the farmers of the state of Iowa, reports on market prices of live stock and other agricultural products, and for the establishment of stations therefor.

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

Senate File No. 575, by Senator Adams, a bill for an act to legalize an ordinance of the incorporated town of Gruver, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant, in said town.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 576, by Senator Adams, a bill for an act to legalize an ordinance of the incorporated town of Wallingford, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 577, by Senator Adams, a bill for an act to legalize an ordinance of the incorporated town of Dolliver, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 578, by Senator Adams, a bill for an act to legalize an ordinance of the incorporated town of Ringsted, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 579, by Senator Holdoegel, a bill for an act to

amend section twenty-five (25) of chapter two hundred seventy-five (275) of the acts of the Thirty-eighth General Assembly as amended by section sixteen (16) of chapter one hundred fifty-nine (159) of the acts of the Thirty-ninth General Assembly (C. C. sec. 3068), relating to the regulation of lights and headlight lenses of motor vehicles operated upon the public highways.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 580, by Senator Buser, a bill for an act to amend section two thousand seventeen (2017) of the supplemental supplement to the code, 1915, (C. C. sec. 5002) relating to the changing, alteration and re-location of highways, railroads and railroad crossings.

Read first and second times and referred to committee on highways.

Senate File No. 581, by Senator Perkins, a bill for an act to repeal the law as it appears in section three (3) chapter two hundred twenty-two (222), acts of the Thirty-ninth (39) General Assembly, relating to the registration of all births and deaths throughout the State of Iowa and enacting a substitute therefor.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 582, by Senator Baird, a bill for an act to amend section ten (10) of chapter three hundred fifty-two (352), acts of the Thirty-eighth General Assembly (C. C. 6326), relating to the recording and filing of instruments affecting the title to personal property.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 583, by Senator Goodwin, a bill for an act to amend chapter two hundred eighty-eight (288), acts of the Thirty-eighth General Assembly, relating to waterworks in cities now or hereafter having a population of one hundred thousand inhabitants or over, including cities acting under the commission form of government.

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

Senate File No. 584, by Senator Cessna, a bill for an act to amend section twenty-one hundred sixty-four (2164), code of 1897, (C.

C. 5324), relating to fixing the burden of proof in a certain class of actions against the telegraph or telephone companies.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 585, by Senator Bowman, a bill for an act to amend chapter forty-one (41) of the acts of the Thirty-eighth (38) General Assembly (C. C. sec. 2091) relating to the salaries of probation officers in counties of thirty-five thousand or more in population.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 586, by Senator Mead, a bill for an act providing for the licensing and regulation of billiard and pocket billiard rooms and providing penalties for violations of the act and to amend sections seven hundred two (C. C. 3605) and five thousand two (5002) (C. C. 8827) of the code, and chapter three hundred fifty-eight (358), acts of the Thirty-seventh General Assembly (C. C. 3136), relating to the operation of pool and billiard rooms.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 587, by Senator Brookhart, a bill for an act to amend section one (1) of chapter two hundred twenty-eight (228), acts Thirty-ninth (39) General Assembly, (S. C. C. 6534-a1) relating to legalizing acts.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 588, by Senator Johnston, a bill for an act to legalize certain warrants issued by the board of supervisors of Lucas county, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 589, by Senator Dutcher, a bill for an act to compensate the city of Iowa City, Iowa, for interest paid out by it on amounts due from the state for paving streets extending through and abutting property owned by the state and under the control of the board of education.

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

HOUSE MESSAGES CONSIDERED

House File No. 399, a bill for an act to legalize \$105,000.00 school building bonds dated May 1, 1920, of the Independent school district of Greene, Butler county, Iowa.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 537, a bill for an act to repeal the law as it appears in the following section, to-wit: Section two thousand four hundred thirteen (2413) of the supplemental supplement to the code, 1915, as amended by chapter three hundred twenty-two (322) of the acts of the Thirty-seventh General Assembly, (C. C. sec 974); section two thousand four hundred fourteen (2414) of the code (C. C. sec. 975); section twenty-four hundred fifteen (2415) of the supplemental supplement, 1915, as amended by chapter three hundred twenty-two (322), acts of the 37th General Assembly, (C. C. sec. 976); and section two thousand four hundred sixteen (2416) of the code, as amended by chapter two hundred sixty-six (266), acts of the 38th General Assembly, (C. C. sec. 977), and to enact a substitute therefor, relating to the information as to search warrants, providing for the seizure of intoxicating liquors and the seizure of instruments and material used in the manufacturing of intoxicating liquors and providing for the forfeiture and confiscation of intoxicating liquor and instruments and material used in the manufacturing of such liquors and for the disposition of the articles forfeited and their return when not forfeited.

Read first and second times and referred to committee on suppression of intemperance.

The Journal of March 7th was corrected and approved.

EXECUTIVE SESSION

On Motion of Senator Reed the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

On motion of Senator Brookhart the Senate adjourned until 9:30 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 9, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. V. B. Hill, pastor of the Congregational church, of Danville, Iowa.

On motion of Senator Mead rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Wichman from the Business and Professional Women's Club of Mason City urging opposition to House File 478 limiting working hours for women. Labor.

By Senator Campbell from citizens of Arthur opposing House File 345 relative to state agents. Judiciary No. 1.

By Senator Brookins from voters of Charles City favoring a reduction in the exemption from garnishment of wages allowed to the head of a family. Judiciary No. 2.

By Senator Campbell from taxpayers of Ida county favoring abolishing the state highway commission, opposing state aid to farm bureaus and any bond issue except by vote of the people. Highways.

By Senator Campbell from business men of Battle Creek relating to garnishment of ten per cent of exempt wages. Judiciary No. 2.

By Brookhart from the Presbyterian church and Christian Endeavor Society of the Presbyterian church of Winfield urging support for proposed measures providing city boards of public welfare, and standardization of moving pictures. Appropriations.

By Senator McIntosh from Cerro Gordo Lodge No. 29, Brotherhood of Locomotive Firemen and Enginemen, favoring repeal of the 35 per cent clause of the primary election law. Elections.

INTRODUCTION OF BILLS

Senate File No. 590, by Senator Romkey, a bill for an act to strike out and amend sections 30 and 31 of chapter 175 of the acts of the 39th General Assembly in reference to schools and school districts.

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

Senate File No. 591, by Senator McIntosh, a bill for an act to amend section seven hundred ninety-three (793) of the code relating to the improvement of streets by grading.

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

Senate File No. 592, by Senator Abben, a bill for an act to amend the law as it appears in subdivisions (d), (k), and (l) of section two (2) of chapter one hundred eighty-nine (189) of the acts of the Thirty-ninth (39th) General Assembly of the state of Iowa relating to the regulation and supervision of investment companies.

Read first and second times and referred to committee on banks and banking.

Senate File No. 593, by Senator Browne, a bill for an act to amend section thirteen hundred four (1304) of the supplemental supplement to the code of Iowa 1915, relating to exemption of property from taxation and providing for the exemption from taxation of moneys invested in mortgages upon lands and all real estate situated in Iowa.

Read first and second times and referred to committee on ways and means.

THIRD READING OF BILLS

On motion of Senator Ethell, Senate File No. 135, a bill for an act to amend, revise and codify sections thirty-two hundred five (3205) and thirty-two hundred six (3206) of the compiled code of Iowa, relating to the sheriff, 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 reinstating paragraph seventeen (17) of said section as it appears in the original statute.

Also amend said bill by adding to section two (2) thereof, the following: "All other fees which he receives for services performed in his official capacity or by virtue of his office, shall be promptly paid by him into the county treasury."

On motion of Senator Price Senate File No. 135 was rereferred to the committee on county and township affairs.

On motion of Senator Ethell Senate File No. 139, a bill for an act to amend, revise and codify chapter eleven (11) of title twelve (12) of the compiled code of Iowa, relating to county bonds, 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 2 of said bill by inserting the words "of the first class" between the words "cities" and "levying" in line 1 of said section 2.

Amend section 3 by striking out the blank space in line 10 of said section between the words "payable" and "annually" in said line and inserting in lieu thereof the word "semi".

Amend section 18 by inserting after the word "purpose" in line 6 of said section, the words, "and no other,".

Amend section 19 by inserting between the words "defense" and "to" in line 8 of said section, the words, "in any action".

Amend section 20 by striking out the period (.) at the end thereof and inserting in lieu thereof a comma (,) and adding the following, "that a judgment entered on any criminal charge growing out of any violation of this chapter shall not be a bar on any action on a bond or otherwise."

Senator Price offered the following amendment and moved its adoption:

Amend the amendment by adding thereto the following: Amend by striking from line 1 of section 3 the words and figures "five per cent (5%)" and inserting in lieu thereof the words and figures "six per cent (6%)."

The amendment was adopted.

Senator Wichman offered the following amendment to the committee amendments and moved its adoption:

Amend by striking out the following:

Amend section 2 of said bill by inserting the words "of the first class" between the words "cities" and "levying" in line 1 of said section 2.

The amendment to the amendment was adopted.

On motion of Senator Price Senate File No. 139 was rereferred to the committee on judiciary No. 1.

Senator Brookhart moved that the Senate reconsider the vote

by which House File 357 passed the Senate, which motion prevailed.

Senator Brookhart moved that the Senate reconsider the vote by which House File 357 passed to its third reading, which motion prevailed.

Senator Brookhart offered the following amendment and moved its adoption:

Amend House File No. 357 as follows: By striking out section three of said bill as amended by the Senate and inserting in lieu thereof as section three the following: "Where property has heretofore been sold at sheriff's sale and the time of redemption has not yet expired and the debtor, or other lien holder, redeems from the sale, the county shall refund to the debtor, or whoever redeems, the fees collected by the sheriff at the time of sale under the law repealed by section one of this act, or if the property is not redeemed, then the county shall refund said fee to the holder of the certificate of sale at the time the redemption period expires."

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 40.

Abben	Darting	Johnston	Romkey
Baird	Dutcher	Kimberly	Scott
Banta	Fulton	McIntosh	Shane
Bergman	Gilchrist	Mantz	Shinn
Bowman	Goodwin	Mead	Slosson
Brookhart	Hale	Nelson	Snook
Browne	Hartman	Newberry	Thurston
Caldwell	Haskell	Olson	Tuck
Campbell	Holdoegg	Price	White
Cessna	Horchem	Rees	Wichman

Nays, none.

Absent or not voting, 9.

Adams	Ethell	Shaff	Stoddard
Brookins	Perkins	Smith	
Buser	Reed		

The amendment was adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 44.

Abben	Bowman	Caldwell	Dutcher
Baird	Brookhart	Campbell	Fulton
Banta	Brookins	Cessna	Gilchrist
Bergman	Browne	Darting	Goodwin

Hale	McIntosh	Price	Slosson
Hartman	Mantz	Rees	Snook
Haskell	Mead	Romkey	Stoddard
Holdoegel	Nelson	Scott	Thurston
Horchem	Newberry	Shaff	Tuck
Johnston	Olson	Shane	White
Kimberly	Perkins	Shinn	Wichman

Nays, none.

Absent or not voting, 5.

Adams	Ethell	Smith	Reed
Buser			

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

Senator Brookhart moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

The Senate resumed consideration of Senate File No. 298, on which action was deferred yesterday.

Senator Brookhart offered the following amendment to the amendment offered by him and moved its adoption:

Amend the amendment to Senate File 298 as follows: By adding after the comma following the word "state" in line 6 of section 2 the following: "and shall be rotated on the ballot in the different counties in the same manner as the names of candidates for governor".

The amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend the amendment to Senate File No. 298 as follows: By adding after the comma after the word "law" in line thirteen of section two the following: "providing that there are only three candidates for president, he received at least forty per cent (40%) of the vote cast for president, and where there are four or more candidates, that he receives at least thirty per cent (30%) of the votes cast for president.

By unanimous consent on request of Senator Brookhart the words "by his political party" were inserted after the word "cast".

The amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend the amendment to Senate File No. 298 as follows: By adding after the comma after the word "date" in line fourteen of section two the following: "or if no candidate received the required number of votes.

The amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend the amendment to Senate File No. 298 by adding at the end of section four and as part of section four the following: "said affidavit to be supported by petition of voters substantially in the form provided in section ten hundred eighty-seven-a ten (1087-a10), supplement to the code, 1913 (C. C. 386), signed by at least three hundred (300) voters in each congressional district of the state, and by a total number of at least five thousand (5000) voters of the state.

The amendment was adopted.

Senator Wichman moved that Senate File No. 298 be rereferred to the committee on elections.

Senator McIntosh asked for a roll call.

On the question "Shall the motion prevail and the bill be referred?" the vote was:

Ayes, 12.

Adams	Goodwin	Mead	Shaff
Baird	Haskell	Newberry	Stoddard
Gilchrist	Holdoegel	Olson	Wichman

Nays, 31.

Abben	Campbell	Johnston	Shane
Banta	Darting	McIntosh	Slosson
Bergman	Dutcher	Mantz	Smith
Bowman	Ethell	Nelson	Snook
Brookhart	Fulton	Perkins	Thurston
Brookins	Hale	Price	Tuck
Browne	Hartman	Rees	White
Buser	Horchem	Romkey	

Absent or not voting, 6.

Caldwell	Kimberly	Scott	Shinn
Cessna	Reed		

The motion was lost.

Senator Fulton offered the following amendment and moved its adoption:

Amend the amendment by inserting in line 9 of section 2 following the comma after the word "convention" the clause "who shall obey his instructions in voting" followed by a comma.

Senator Baird asked for a roll call.

Senator Fulton invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was :

Ayes, 19.

Adams	Hartman	Newberry	Shaff
Baird	Haskell	Perkins	Shane
Banta	Holdoegel	Price	Stoddard
Bergman	Kimberly	Rees	Wichman
Fulton	Mantz	Scott	

Nays, 28.

Abben	Cessna	Horchem	Shinn
Bowman	Darting	Johnston	Slosson
Brookhart	Dutcher	McIntosh	Smith
Brookins	Ethell	Mead	Snook
Browne	Gilchrist	Nelson	Thurston
Buser	Goodwin	Reed	Tuck
Campbell	Hale	Romkey	White

Absent or not voting, 2.

Caldwell Olson

The amendment was lost.

Senator Ethell moved the previous question, which motion prevailed and the previous question was ordered.

Senator Bowman raised the point of order that Senator Wichman's interrogation was an argument.

The President held the point well taken.

Senator Haskell moved that Senator Brookhart be given an additional ten minutes in closing the debate, which motion prevailed.

Senator Price moved that the Senate adjourn until 1:30 p. m.

Senator Price raised the point of order that the question was not debatable.

The President held the point well taken.

The motion lost.

Senator Brookhart invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was :

Ayes, 21.

Abben	Browne	Dutcher	Gilchrist
Brookhart	Campbell	Ethell	Horchem
Brookins	Darting	Fulton	Johnston

McIntosh
Nelson
Reed

Romkey
Shinn
Snook

Thurston
Tuck

White

Nays, 25.

Adams
Baird
Banta
Bergman
Bowman
Buser

Goodwin
Hale
Hartman
Haskell
Holdoegel
Kimberly

Mantz
Newberry
Olson
Perkins
Price
Rees

Scott
Shaff
Shane
Slosson
Smith
Stoddard
Wichman

Absent or not voting, 3.

Caldwell

Cessna

Mead

The amendment was lost.

Senate McIntosh moved that the Senate adjourn until 1:30 p. m., which motion was lost.

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

Senator Romkey invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 22.

Bowman
Brookhart
Brookins
Browne
Campbell
Darting

Ethell
Gilchrist
Goodwin
Horchem
Johnston
McIntosh

Nelson
Price
Reed
Rees
Romkey
Shinn

Smith
Snook
Thurston
Tuck

Nays, 24.

Abben
Adams
Baird
Banta
Bergman
Buser

Dutcher
Fulton
Hale
Hartman
Haskell
Holdoegel

Kimberly
Mantz
Newberry
Olson
Perkins
Scott

Shaff
Shane
Slosson
Stoddard
White
Wichman

Absent or not voting, 3.

Caldwell

Cessna

Mead

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Banta moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table.

Senator Ethell asked for a division of the question.

Senator Price asked for a roll call.

Senator Romkey invoked rule 8.

On the question "Shall the motion to reconsider be laid on the table?" the vote was:

Ayes, 24.

Abben	Dutcher	Horchem	Scott
Adams	Fulton	Mantz	Shaff
Baird	Hale	Newberry	Shane
Banta	Hartman	Olson	Slosson
Bergman	Haskell	Perkins	Stoddard
Buser	Holdoegel	Reed	White

Nays, 20.

Bowman	Ethell	McIntosh	Shinn
Brookhart	Gilchrist	Nelson	Smith
Brookins	Goodwin	Price	Snook
Browne	Johnston	Rees	Thurston
Campbell	Kimberly	Romkey	Tuck

Absent or not voting, 5.

Caldwell	Darting	Mead	Wichman
Cessna			

The motion to reconsider was laid on the table.

MESSAGES FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House returns herewith Senate File 402, a bill for an act to amend section two thousand four hundred seventy-seven-m-forty-nine (2477-m49) of the supplement to the code, 1913, (C. C. 858), relating to workmen's compensation; the House having previously indefinitely postponed House File 320 identical to Senate File 402.

Also, that the House insists on its amendments to Senate File 225, a bill for an act to amend, revise and codify sections six thousand nine hundred seventy-two (6972), six thousand nine hundred eighty (6980), and six thousand nine hundred eighty-two (6982) of the compiled code of Iowa, relating to the clerk of the district court, and requests a conference committee and the Speaker has appointed as such conference committee on the part of the House Representatives Gallagher, Long, Grimwood and Olson.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Shane moved that the House be requested to return House File No. 360, which motion prevailed.

On motion of Senator Newberry, the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

The roll was called and disclosed the presence of a quorum.

BILLS CALLED FROM COMMITTEE

On request of Senator Buser, Senate File No. 277 was called from the committee on highways; and on request of Senator Stoddard, Senate File No. 346 was called from the committee on cities and towns and both bills were ordered placed on the calendar, having been held in committee beyond the 15 days allowed under the rule.

On request of Senator McIntosh, Senate File No. 299 was called from the committee on elections and placed on the calendar.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the report of the committee was adopted on House File No. 360.

FRANK SHANE.

REPORTS OF COMMITTEES

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 530, a bill for an act making an appropriation to defray the expenses of the inaugural ceremonies, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File No. 270, a bill for an act to make an emergency appropriation for the construction of an armory to take the place of the one destroyed by fire at the Iowa State College of Agriculture and Mechanic Arts, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking from section two (2), the words and figures "One Hundred Thousand Dollars (\$100,000)" and inserting in lieu thereof the

words and figures "One Hundred Forty Thousand Dollars (\$140,000)," or so much thereof as may be necessary.

Also amend by striking out all of section four (4) of the bill and renumbering the following sections to correspond.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 374, a bill for an act making an appropriation to reimburse the chair and furniture industry located at the State Penitentiary, Fort Madison, Iowa, for chairs purchased for the committee clerks in the Thirty-eighth General Assembly, as authorized by the Senate Concurrent Resolution March 22, 1919, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*...

Ordered passed on file.

INTRODUCTION OF BILLS

Senate File No. 594, by committee on departmental affairs, a bill for an act creating a department of agriculture; providing for the election of a secretary of agriculture; conferring on the department of agriculture certain powers and duties; conferring on the secretary of agriculture the powers and duties now executed by the existing department of agriculture, including the horticultural association, weather and crop service department, the commission of animal health, state veterinarian, corn and small grain producers' association, beef breeders' association, state dairy association, forestry commission, geological survey, state oil inspector, board of conservation, inspector of weights and measures, all hotel inspectors and inspectors of eating houses. Ice cream manufacturers, bakeries, grocery stores, and candy manufacturers.

Read first and second times and placed on calendar.

THIRD READING OF BILLS

On motion of Senator Buser House File No. 56, a bill for an act to amend, revise and codify section eleven hundred ninety-nine (1199) of the compiled code of Iowa, relating to fences, 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 section 6.

The bill was read for information.

Senator Brookhart moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Abben	Cessna	Kimberly	Shane
Adams	Darting	McIntosh	Slosson
Baird	Ethell	Mantz	Snook
Banta	Fulton	Nelson	Stoddard
Bowman	Gilchrist	Newberry	Thurston
Brookhart	Hale	Olson	Tuck
Brookins	Hartman	Perkins	White
Browne	Haskell	Rees	Wichman
Buser	Holdoegel	Romkey	
Caldwell	Horchem	Scott	
Campbell	Johnston	Shaff	

Nays, none.

Absent or not voting, 8.

Bergman	Goodwin	Price	Shinn
Dutcher	Mead	Reed	Smith

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

By unanimous consent Senator Buser withdrew Senate File No. 56 from further consideration.

On motion of Senator Brookhart, Senate File No. 568, a bill for an act authorizing the executive council to exchange certain lands belonging to the state for other lands, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

On motion of Senator Holdoegel further action was deferred.

On motion of Senator Shane, House File No. 206, a bill for an act to amend, revise, and codify section five thousand four hundred seventy-eight (5478) of the supplement to the compiled code of Iowa, relating to life insurance companies, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments were withdrawn.

Senator Shane offered the following amendment and moved its adoption:

Amend House File 206 by striking out all after the enacting clause and inserting in lieu thereof the following:

"That section five thousand four hundred seventy-eight (5478) of the supplement to the compiled code of Iowa is amended, revised and codified to read as follows:

Section 1. "Stock companies organized to transact business under the provisions of chapter two (2) title 18 of the compiled code, shall have not less than one hundred thousand dollars (\$100,000) of capital stock paid up in cash and when first authorized to write insurance shall have a cash surplus in an amount equal to twenty-five (25) per cent of the paid up capital stock, which capital stock shall be invested as provided by section five thousand five hundred thirty-two (5532) of the compiled code, and such securities shall be deposited with the commissioner of insurance and when such deposit is made and evidence furnished, by affidavit or otherwise, satisfactory to the commissioner that the capital stock is all fully paid and the company possessed of the surplus required and that the company is the actual and unqualified owner of the securities representing the paid-up capital stock or other funds of the company, and all laws have been complied with, he shall issue to such company the certificate hereinafter provided for. No part of the capital or other funds shall be loaned directly or indirectly to any officer, director, stockholder or employee of the company or directly or indirectly to any relative of any officer or director of such company. No such company shall make any loan upon its own stock as collateral, or directly or indirectly make any loan to or invest any of its funds in the property of any corporation, firm, association or trustees of which any officer or director of the insurance company is also an officer, director, stockholder, member or trustee of such other corporation, firm, association, or trustees."

The amendment was adopted.

The bill was read for information.

Senator Shane moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Browne	Goodwin	Kimberly
Adams	Buser	Hale	McIntosh
Baird	Caldwell	Hartman	Mantz
Banta	Campbell	Haskell	Nelson
Bergman	Cessna	Holdoegel	Newberry
Bowman	Ethell	Horchem	Olson
Brookins	Gilchrist	Johnston	Perkins

Price
Romkey
Shane

Shinn
Slosson
Snook

Stoddard
Thurston
Tuck

White
Wichman

Nays, 1.

Darting

Absent or not voting, 9.

Brookhart
Dutcher
Fulton

Mead
Reed
Rees

Scott
Shaff

Smith

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Shane offered the following amendment to the title:

Amend by striking all of the title and inserting in lieu thereof the following: "An act to repeal section seventeen hundred sixty-nine (1769) (C. C. 5478) of the code as amended by section two (2) of chapter two hundred sixty-one (261) acts of the Thirty-ninth (39th) General Assembly and to enact a substitute in lieu thereof, relating to life insurance companies.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 36.

Abben
Adams
Paired
Bergman
Brookins
Browne
Buser
Caldwell
Campbell

Cessna
Ethell
Gilchrist
Goodwin
Hale
Hartman
Haskell
Holdoegel
Horchem

Johnston
Kimberly
McIntosh
Nantz
Nelson
Newberry
Olson
Perkins
Romkey

Shane
Shinn
Slosson
Snook
Stoddard
Thurston
Tuck
White
Wichman

Nays, none.

Absent or not voting, 13.

Banta
Bowman
Brookhart
Darting

Dutcher
Fulton
Mead
Price

Reed
Rees
Scott

Shaff
Smith

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Thurston, House File No. 248, a bill for an act to amend, revise and codify section eighty-six hundred forty-five (8645) of the compiled code of Iowa, relating to larceny and punishment therefor, with report of committee recommending pas-

sage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Thurston moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Campbell	Johnston	Shaff
Adams	Ethell	Kimberly	Shinn
Baird	Fulton	McIntosh	Slosson
Banta	Gilchrist	Nelson	Snook
Bergman	Hale	Newberry	Stoddard
Bowman	Hartman	Olson	Thurston
Brookins	Haskell	Perkins	Tuck
Browne	Holdoegel	Reed	White
Buser	Horchem	Romkey	Wichman

Nays, none.

Absent or not voting, 13.

Brookhart	Dutcher	Price	Shane
Caldwell	Goodwin	Rees	Smith
Cessna	Mants	Scott	
Darting	Mead		

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

By unanimous consent Senator Reed withdrew Senate File No. 233 from further consideration.

REPORT OF MEMORIAL COMMITTEE

We, your committee, appointed by the Senate to draft suitable resolutions in memoriam of the life and service of the late lamented Senator Daniel Cady Chase, beg leave to report that we have performed our duties and file herewith such resolutions.

JNO. R. PRICE,
W. G. HASKELL,
HARRY C. WHITE.

RESOLUTION

Whereas, It has pleased the Supreme Ruler of the universe, in his infinite wisdom, to call unto himself, from his earthly career, our late lamented friend and fellow Senator, Daniel Cady Chase.

Therefore, Be It Resolved by the Iowa Senate of the Fortieth General Assembly, That this Senate has lost one of its most distinguished, capable

and efficient members; that the Senate of Iowa has been deprived of his good councils and sound judgments. That the State has lost one of her most devoted and patriotic sons; that the community in which he was born, lived and passed away, has been deprived of one of her staunch pillars and public spirited members; that the widow and son have lost a kind, loving, tender and devoted husband and father.

Be It Further Resolved, That the Senate of the Fortieth General Assembly extend to the surviving widow and son our kindest and sincerest sympathy; that in this hour of their sadness and bereavement we point them to the Father of all mankind for council and guidance and for comfort.

Be It Further Resolved, That these resolutions be engrossed and made a part of the records of this Senate and that the original, signed by the President and Secretary of the Senate, be presented to the family of our beloved fellow Senator.

JNO. R. PRICE,
W. G. HASKELL,
HARRY C. WHITE.

The report and resolution were unanimously adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: House Files 226, 279, and 359.

CONFERENCE COMMITTEE ON SENATE FILE NO. 225

The House having insisted on its amendments to Senate File 225 and appointed a conference committee, the President appointed as members of the conference committee on the part of the Senate, Senators Hale, Johnston, Darting and Hartman.

On motion of Senator Newberry the Senate adjourned until 4:30 p. m.

AFTERNOON SESSION

The Senate reconvened pursuant to adjournment, President Ham-mill presiding.

REPORT OF COMMITTEE

Senator Banta, from the committee on printing, submitted the following report:

MR. PRESIDENT: Your committee on printing to which was referred

Senate File No. 255, a bill for an act to amend, revise, and codify sections one hundred (100), one hundred one (101) and two hundred seventy-five (275) of the compiled code of Iowa, and sections two hundred forty-one-a thirty (241-a30), two hundred forty-one-a fifty-five (241-a55), two hundred forty-one-a sixty two (241-a62), two hundred forty-one-a sixty-three (241-a63), two hundred forty-one-a sixty-four (241-a64), two hundred forty-one-a sixty-six (241-a66), two hundred forty-one-a seventyfour (241-a74) and two hundred forty-seven-a three (247-a3) of the supplement to said code, relating to reports of public officers, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File No. 255 by placing a colon (:) after the word "period" in line three of sec. 5 and striking out all of lines four, five and 26 of said section.

Amend sec. 6 by placing a period (.) after the word "date" in line 3 and eliminating the remainder of said line—"and not later than May first:"

Amend sec. 11 by striking out the word "first" in line three thereof and substituting "fifteenth" therefor.

Amend sec. 12 by adding thereto as sec. 12-a1 and 12-a2 the following:

"Sec. 12-a1. *Mine Inspectors.*

The report of the mine inspectors shall cover the biennial period ending December thirty-first (31st) of each odd-numbered year, and shall be filed on or before August fifteenth (15th) following the end of said reporting period.

(S. C. C. 732, modified.)

"Sec. 12-a2. *Delay in filing report.*

Should the governor deem the delay in filing a report to be unreasonable he shall take such steps as will correct the delinquency."

Amend sec. 14, Disposal of Reports, as follows: Strike out all of the section following the period in line 2, following the word "printing".

Also amend by inserting the following after section 17 of bill: That section two hundred forty-one-a twenty-one (241-a21) of the supplement to the compiled code of Iowa be amended, revised, and codified to read as follows:

Sec. 18. *Duration of Contract.*

Contracts for printing and for work and material relating thereto shall be for a period not exceeding three (3) years. The present contract for printing and binding the Iowa Supreme Court Reports may be extended for a period not exceeding three years from the date of said contracts.

(S. C. C. 241-a21, modified.)

That section two hundred forty-one-a twenty-nine (241-a29) of the supplement to the compiled code of Iowa be amended, revised and codified as follows:

"Sec. 19. *Emergency Contracts.*

The board may at any time award a special contract or may authorize its assistants as designated in section two hundred forty-one-a twenty-six (241-a26) of this supplement to award a special contract for any work or material coming within the provisions of this and the two following chapters of this title but not included in contracts already in existence, or which cannot properly be made the subject of a general contract, if the amount of each such contract shall not exceed the amount of five hundred (500) dollars, and if special bids have been duly solicited by the said board from persons or firms engaged in the kind of work under consideration who have indicated a desire to bid on the class of work to be done.

(S. C. C. 241-a29, modified.)

That section two hundred forty-one-a sixty-eight (241-a68) of the supplement to the compiled code of Iowa be amended, revised, and codified to read as follows:

"Sec. 20. *Iowa Documents.*

At the time of printing the official reports there shall also be printed from the same type or plates an edition of five hundred (500) copies to be grouped together and bound in volumes of convenient size to be known as the Iowa Documents, of which there shall be one edition for each biennial period. Each volume as thus grouped shall contain a table of contents of all the volumes. There shall be included in the Iowa documents, in addition to the official report, the inaugural address and the messages and budget of the governor.

(S. C. C. 241-a68, modified.)"

GEORGE S. BANTA, *Chairman.*

Ordered passed on file.

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 569 by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That no person shall have in his possession or under his control any opium, coca leaves, or any compound, manufacture, salt, derivative, or preparation thereof, including cocaine, morphine, heroin and codeine, unless it be possessed thru having been prescribed, or dispensed, in good faith, by a physician, dentist or veterinary surgeon registered under the laws of Iowa and registered by the United States government under the Harrison act, an act of congress approved December 17, 1914 as amended, to prescribe or dispense such drugs; provided that this section shall not apply to any person registered under the said Harrison act, or to any employee, or assistant of a registered person and under his supervision, having such possession or control by virtue of his employment and not on his own account; or to the possession of any of

the aforesaid drugs by any corporation engaged in the wholesale of such drugs, or by manufacturers of pharmaceuticals, registered under the said Harrison act, or by any United States, state, city, county or municipal official who has possession of any of said drugs by reason of his official duties, or by a warehouseman holding possession for a person so registered and who has paid the tax under the aforementioned Harrison act, or to common carriers engaged in transporting such drugs; provided further, that it shall not be necessary to negative any of the aforesaid exemptions under any complaint, information, indictment or other writ or proceeding, brought under this act; and the burden of proof of any such exemption shall be on the defendant. Any person violating any provisions of this section shall be deemed guilty of a misdemeanor and shall be fined not less than one hundred (\$100.00) dollars or more than one thousand (\$1,000.00) dollars or be imprisoned in the county jail not less than thirty days nor more than one year, or both such fine and imprisonment; providing that if the court or judge finds that the defendant is an habitual user of narcotic drugs he may commit the defendant for a period not to exceed three years, in a state institution.

Sec. 2. That no person, company or corporation shall import, manufacture, produce, compound, sell, deal in, dispense or give away any of the narcotic drugs mentioned in section one (1) of this act, excepting as otherwise hereinafter provided. Any person who violates any of the provisions of this section shall be deemed guilty of a felony and on conviction be imprisoned in the state reformatory or state penitentiary for not more than five years. Any company or corporation violating any of the provisions of this section shall, on conviction, be fined not more than five thousand (\$5,000.00) dollars or less than five hundred (\$500.00) dollars, and costs of prosecution: Provided that this section shall not apply to persons registered under the aforesaid Harrison narcotic act and authorized or permitted to possess, sell or use such narcotic drugs through compliance with said Harrison act, and all United States, state, county and municipal officials who in the exercise of their official duties are engaged in any business or act herein described.

Sec. 3. That any motor vehicle or vehicle drawn by animals, or any container, that is being used for transporting narcotic drugs, which have been manufactured, sold, purchased, delivered or received in violation of the laws of the United States or of this act, may be seized by any peace officer in any county in which such shipment originates or thru which it passes or in the county in which it is to be delivered; said vehicle and the contents therein so seized shall be taken to a magistrate who shall serve notice on the owner thereof of such seizure and of the time set for a hearing thereon which shall not be less than five days nor more than fifteen days, after said seizure. On the magistrate finding that such vehicle has been used in the illegal transportation of narcotic drugs he shall order the vehicle forfeited and direct a peace officer in charge thereof to sell the vehicle so seized as chattels under execution and apply

the money to the payment of the costs of the action and any other monies remaining shall go into the school fund of the county. Providing, however, that any person owning such vehicle may file a claim for such vehicle setting out under oath that he did not know that the vehicle was to be used for any such purpose and that by the exercise of due diligence he could not have known and that the defendant was not an agent or employee of the owner of such vehicle.

Sec. 4. That the provisions of this act shall not be construed to apply to the sale, distribution, giving away, dispensing, or possession of preparations and remedies which do not contain more than two grains of opium, or more than one-fourth grain of morphine, or more than one-eighth of a grain of heroin, or more than one grain of codeine, or any salt or derivative of any of them in one fluid ounce, or, if a solid or semi-solid preparation, in one avoirdupois ounce; or to liniments, ointments or other preparations which are prepared for external use only, except liniments, ointments and other preparations which contain cocaine or any of its salts or alpha or beta eucaine or any of their salts or any synthetic substitute for them: Provided, that such remedies and preparations are sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of this act. The provisions of this act shall not apply to decocanized coca leaves or preparations made therefrom, or to other preparations of coca leaves which do not contain cocaine, and that the dealer in said remedies, drugs and preparations has on file in his place of business a certified copy of the formula upon which such drugs, remedies and preparations are manufactured or compounded.

Sec. 5. That any building, erection or place resorted to by habitual users of narcotic drugs, for the purpose of using such drugs, or which is used for the illegal keeping of the same, and any building, erection or place in which narcotic drugs are kept, sold or dispensed in violation of the laws of Iowa or the laws of the United States, shall be deemed a common nuisance, and it may be enjoined and abated thru the same laws and proceedings provided for enjoining and abating intoxicating liquor nuisances, as provided for in title twelve, chapter six of the code as amended, and evidence of the general reputation of the place shall be competent to establish the existence of the nuisance, and for the violation of any such injunction, temporary or permanent, the offender may be punished for contempt of court under the same laws and proceedings provided for punishment for contempt of court for the violation of an injunction made and entered against an intoxicating liquor nuisance, as provided in the aforementioned title and chapter.

Sec. 6. If any credible resident of the state makes affidavit before a magistrate that he has reason to believe and does believe that narcotic drugs are kept or deposited by any person in any building, erection or place, and are intended to be sold, dispensed or used unlawfully, and such magistrate finds that the affiant has probable cause for believing his allegations to be true, he shall issue a search warrant, directed to

any peace officer in the county commanding him to search the premises described in such affidavit or information, and to seize and securely keep any such drugs found in the place described until final action thereon, and return the warrant forthwith, with his doings thereon, to the magistrate issuing the same.

Sec. 7. The magistrate issuing a search warrant upon which the peace officer serving it, in his return thereon, shows the seizure of any narcotic drugs, shall cause to be left at the place searched, a notice setting out the kind and quantity of narcotic drugs so seized and fixing a date of not less than five nor more than fifteen days after such seizure, at which time the said drugs will be forfeited on an order of default unless the owner appears and files a written claim for the same, when the drugs at issue shall be tried substantially as an action in equity, and the claimant of the drugs may introduce evidence to show that he possessed the drugs in question legally and that they were not intended for illegal use. The burden of proof shall be on the claimant of the drugs, and if he establish the fact that the drugs were possessed legally and were not intended for illegal sale or use, then the said drugs shall be delivered to the claimant; otherwise the magistrate shall order such drugs delivered to the state board of control, to be used in the state hospitals under the direction of the superintendent or a physician of the institution, or by his direction, and the costs taxed to the claimant. The claimant of such drugs and the state shall have the right to appeal as in ordinary civil actions.

Sec. 8. That all forms necessary to carry out the provisions of this act shall be prepared and provided by the Attorney General.

Sec. 9. That all provisions of this act shall be construed as mandatory and not directory and that all provisions shall be construed by the courts so as to prevent evasion.

Sec. 10. That the provisions of this act shall not apply to any person, company or corporation exempted under section one (1) of this act unless it be shown by competent evidence that such person, company or corporation has purchased or received any narcotic drugs, heretofore mentioned, from persons not authorized to sell the same, and the possession of such narcotic drugs, unaccounted for by the legal authority to purchase and have possession of the same, or having in his possession any of such drugs concealed or stored in any other place than that provided for the storage of his stock of such drugs which have been purchased legally, shall be prima facie evidence of the purchase of such narcotic drugs from persons unauthorized to sell or dispense the same, in which case the proceedings, penalties and forfeitures provided in this act shall apply.

Also strike out the title and insert in lieu thereof the following:

A BILL FOR

An act to regulate the sale, possession and use of narcotic drugs, declaring places where such drugs are possessed, sold or used unlawfully

to be nuisances and subject to injunction and abatement as such; providing for search warrants and the disposition of drugs seized; providing penalties for the violation of all acts prohibited; and providing that all provisions shall be construed as mandatory and to prevent evasion.

FRANK SHANE.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move that the vote by which Senate File No. 291 failed to pass the Senate be reconsidered.

WILLIAM J. GOODWIN.

On motion of Senator Stoddard, the Senate adjourned until 9:30 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, March 10, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. Harry M. Throckmorton, pastor of the Baptist church of Danville, Iowa.

On motion of Senator Stoddard rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Newberry for the day on request of Senator Buser; Senator Darting for the day on request of Senator Mead; Senator Dutcher for the day on request of Senator Stoddard.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Scott from the Ladies' Auxiliary of the American Legion, Marshalltown, protesting the proposed repeal of the soldiers' and sailors' tax exemption law. Military affairs.

By Senator Buser from the Iowa Federation of Women's Clubs endorsing House File No. 478 limiting working hours for women. Labor.

By Senator Buser from the Muscatine County Medical Society, urging acceptance of the gift to the university hospital. Appropriations.

By Senator McIntosh from voters of Dubuque endorsing Senate File No. 299 relative to the 35% clause of the primary law. Elections.

By Senator McIntosh from voters of Wright county endorsing Senate File No. 299. Elections.

By Senator Gilchrist from the Calhoun County Fair Association urging the continuance of state aid to agricultural fairs. Appropriations.

By Senator Brookins from voters of Ionia protesting Senate File No. 482 providing a tax on cigars and tobacco. Ways and means.

Petitions from Modern Woodmen of America protesting the Richmond bill were presented and referred to the committee on insurance:

By Senator McIntosh from Camp 3480, Davis City; by Senator Stoddard from Camp 2738, Correctionville; by Senator Abben from Camp 4958, Orange City; by Senator Gilchrist from Camp 11318, Albert City; by Senator Gilchrist from Camp 4518, Humboldt.

INTRODUCTION OF BILLS

Senate File No. 595, by Senator Bowman, a bill for an act to place a limit upon the hours of duty required of employees of fire departments in certain cities.

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

Senate File No. 596, by Senator Johnston, a bill for an act to repeal the law as it appears in section one thousand eighty-seven-a thirty (1087-a 30) of the supplement to the code, 1913 (C. C. 395) relating to the primary law and to enact a substitute therefor.

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

By unanimous consent Senator Bergman withdrew Senate File No. 378 from further consideration.

REPORTS OF COMMITTEES

Senator Holdoegel submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred House File No. 122, a bill for an act to amend, revise and codify chapter eight (8) of title eleven (11) of the compiled code of Iowa, relating to the patrolling of public highways, begs leave to report it has had the same under consideration and recommends the same do pass.

P. C. HOLDOEGEL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred House File No. 120, a bill for an act to amend, revise, and codify

chapter four (4) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to state road districts, and the improvement and maintenance thereof, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the words "state highway engineer" in line one (1) of paragraph two (2) thereof and inserting the words "chief engineer of the state highway commission".

That the word "town" be inserted after the word "city" in line one (1) of section four (4), also add the words "special charter cities" after the word "town".

By striking out the words "state highway engineer" in lines four (4) and five (5) of section five (5) and inserting the words "chief engineer of the state highway commission" in lieu thereof.

By inserting the following immediately after section five (5): "That section three thousand-a one (3000-a1), supplement to the compiled code is amended, revised, and codified to read as follows:"

Also, amend the title by substituting the following:

"An act to amend, revise, and codify chapter four (4) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, and sections three thousand-a one (3001-a1) and four thousand thirty-six-a one (4036-a1) of the supplement to the compiled code of Iowa, relating to state road districts, and the improvement and maintenance thereof, and to poll taxes in cities, towns, and townships."

P. C. HOLDOEGEL, *Chairman*.

Ordered passed on file.

Senator Reed, 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. 493, a bill for an act to repeal section seven hundred thirty-two (732) supplement to the code, 1913, (compiled code sec. 3758), relating to library tax, additional support of libraries and transfer from building to maintenance fund, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

CARL W. REED, *Chairman*.

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

Senator Tuck moved as a substitute motion that the bill be referred to the committee on public libraries, which motion prevailed and the bill was referred to the committee on public libraries.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 466, a bill for an act to legalize a special election

held in the city of Maquoketa, Jackson County, Iowa, whereat the proposition of issuing bonds in the sum of \$70,000.00 was submitted to the voters for the purpose of constructing and directing extensions to the municipal electric light system, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 530, a bill for an act to legalize the incorporation, including the notice of incorporation and the publication thereof, and corporate acts and proceedings of the B. & K. Coal Company of Burlington, Iowa, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 57, a bill for an act to amend, revise and codify sections twelve hundred four (1204) to twelve hundred seven (1207), inclusive, and twelve hundred nine (1209) of the compiled code of Iowa, relating to lost property, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the word "in" in line nine (9) of section six (6) and inserting in lieu thereof the word "of",

CARL W. REED, *Chairman*.

Ordered passed on file.

Senator Brookins, from the committee on conservation, submitted the following report:

MR. PRESIDENT: Your committee on conservation to whom was referred Senate File No. 427, a bill for an act to repeal section (C. C. 3684) 850-p supplemental supplement to the code, 1915, as amended by chapter 58 of the laws of the Thirty-eighth General Assembly and by chapter 26 of the laws of the Thirty-ninth General Assembly relating to tax levy for park improvement purposes, and to enact a substitute therefor, beg leave to report it has had the same under consideration and recommends the same do pass.

A. T. BROOKINS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on conservation to whom was referred Senate File No. 428, a bill for an act to repeal chapter forty-six (46) of the laws of the Thirty-eighth (38th) General Assembly relating to a tax

levy for park improvement purposes, and to enact a substitute therefor, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the word "than" as it appears in line nineteen (19) of section one (1) thereof and insert the word "then" in lieu thereof,

A. T. BROOKINS, *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. 360, a bill for an act to amend sections four (4), eleven (11), and twelve (12), of chapter one hundred twenty (120), of the acts of the Thirty-ninth General Assembly, relating to mutual insurance associations.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 330, a bill for an act relating to the compensation of executors, administrators and attorneys in the settlement of estates.

Also, 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 regulate the disinterment of dead bodies of human beings and opening of caskets containing the same or autopsy thereon, without a permit therefor and providing penalty for the violation of this act.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 281, a bill for an act to amend section ten (10) chapter two hundred eighty-seven (287), laws of the Thirty-eighth General Assembly, relating to the basis of valuation of tubercular cattle.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 401, a bill for an act to amend the law as it appears in sections one thousand nine hundred eighty-nine-a three (1989-a3) as amended by chapter one hundred thirty-eight (138), acts of the Thirty-eighth General Assembly (C. C. 4838), one thousand nine hundred eighty-nine-a five (1989-a5) (C. C. 4840) as amended by chapter two hundred six (206), acts of the Thirty-ninth General Assembly, and one thousand nine hundred eighty-nine-a six (1989-a6) (C. C. 4841) of the supplement to the code, 1913, relative to the establishment of levee or drainage districts.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 440, a bill for an act to amend section one thousand three hundred eighty-three (1383) of the supplement to the code, 1913, (C. C. 4609) relating to the division and proportionment and entry of tax installments on the tax list by the county auditor.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 440, a bill for an act to amend section one thousand three hundred eighty-three (1383) of the supplement to the code, 1913, (C. C. 4609) relating to the division and proportionment and entry of tax installments on the tax list by the county auditor.

Read first and second times and referred to committee on ways and means.

House File No. 401, a bill for an act to amend the law as it appears in sections one thousand nine hundred eighty-nine-a three (1989-a3) as amended by chapter one hundred thirty-eight (138), acts of the Thirty-eighth General Assembly (C. C. 4838), one thousand nine hundred eighty-nine-a five (1989-a5) (C. C. 4840) as amended by chapter two hundred six (206), acts of the Thirty-ninth General Assembly, and one thousand nine hundred eighty-nine-a six (1989-a6) (C. C. 4841) of the supplement to the code, 1913, relative to the establishment of levee or drainage districts.

Read first and second times and referred to committee on drainage.

House File No. 281, a bill for an act to amend section ten (10) chapter two hundred eighty-seven (287), laws of the 38th General Assembly, relating to the basis of valuation of tubercular cattle.

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

House File No. 425, a bill for an act to regulate the disinterment of dead bodies of human beings and opening of caskets containing the same or autopsy thereon, without a permit therefor and providing penalty for the violation of this act.

Read first and second times and referred to committee on public health.

House File No. 330, a bill for an act relating to the compensation of executors, administrators and attorneys in the settlement of estates.

Read first and second times and referred to committee on judiciary No. 1.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed the following bills: Senate Files Nos. 382, 405, 113, 96, 79, 157, 341, and 365.

THIRD READING OF BILLS

On motion of Senator Buser, Senate File No. 415, a bill for an act to amend the law as it appears in section one thousand five (1005) supplement to the code 1897 (C. C. sec. 4423) by providing a millage tax levy for cemetery maintenance 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:

Amend by striking the words "or any private or incorporated cemetery association utilized by the citizens of the said city or town" appearing in lines 7 and 8.

The amendment was adopted.

The bill was read for information.

Senator Buser moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Abben	Caldwell	Kimberly	Shaff
Adams	Campbell	McIntosh	Shane
Baird	Ethell	Mantz	Shinn
Banta	Fulton	Nelson	Slosson
Bergman	Goodwin	Perkins	Smith
Bowman	Hale	Price	Snook
Brookhart	Hartman	Reed	Thurston
Brookins	Haskell	Rees	Tuck
Browne	Horchem	Romkey	White
Buser	Johnston	Scott	Wichman

Nays, none.

Absent or not voting, 9.

Cessna	Gilchrist	Mead	Olson
Darting	Holdoegel	Newberry	Stoddard
Dutcher			

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

On motion of Senator Buser, Senate File No. 450, a bill for an act to amend section seven hundred two (702) of the code of 1897 (C. C. 3605) relating to the powers of 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 Buser moved that the reading just had be considered the third reading, which motion prevailed.

Senator Buser invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Caldwell	Mantz	Shinn
Adams	Campbell	Mead	Slosson
Baird	Cessna	Nelson	Smith
Banta	Fulton	Olson	Snook
Bergman	Hale	Perkins	Thurston
Bowman	Hartman	Reed	Tuck
Brookhart	Horchem	Rees	White
Brookins	Johnston	Scott	Wichman
Buser	McIntosh	Shane	

Nays, 7.

Browne	Gilchrist	Kimberly	Shaff
Ethell	Haskell	Price	

Absent or not voting, 7.

Darting	Goodwin	Newberry	Stoddard
Dutcher	Holdoegel	Romkey	

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

Senator Buser moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Gilchrist explained his vote on Senate File No. 450 by saying that he thought the interpretation of the language would be such as to be a detriment to legitimate places handling near beer.

Senator Haskell gave the same explanation for his vote.

On motion of Senator Rees, Senate File No. 499, a bill for an

act to amend section six hundred ninety-seven (697) of the code, (C. C. 3596), relating to the power of cities and towns over cemeteries, 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 section 2, the publication clause.

The bill was read for information.

Senator Fulton moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Campbell	Johnston	Shaff
Adams	Ethell	Kimberly	Shane
Baird	Fulton	McIntosh	Shinn
Banta	Gilchrist	Mantz	Slosson
Bowman	Goodwin	Nelson	Smith
Brookhart	Hale	Olson	Snook
Brookins	Hartman	Perkins	Thurston
Browne	Haskell	Rees	White
Buser	Horchem	Scott	Wichman
Caldwell			

Nays, none.

Absent or not voting, 12.

Bergman	Dutcher	Newberry	Romkey
Cessna	Holdoegel	Price	Stoddard
Darting	Mead	Reed	Tuck

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

On motion of Senator Browne, Senate File No. 515, a bill for an act to amend the law as it appears in section ten (10) of chapter two hundred eighty-seven (287) acts of the Thirty-eighth General Assembly as amended by section one (1) of chapter forty-four (44) of the acts of the Thirty-ninth General Assembly (C. C. supplement 1740) relating to the control and suppression of dangerous, contagious and infectious diseases of domestic animals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Browne offered the following amendments and moved their adoption:

Amend Senate File No. 515, by striking out the words and figures "(C. C. supplement 1740)" appearing in line five (5) of section one (1)

thereof, and inserting in lieu thereof the words and figures "(S. C. C. section 1740)".

Also amend by striking out the word "may" appearing in line fifteen (15) of section one (1), and inserting in lieu thereof the word "shall".

Also amend by adding as section two (2), 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 News, newspapers published in Des Moines, Iowa".

Also amend the title by striking out the words and figures "(C. C. supplement 1740)" appearing in line four (4) thereof, and inserting and lieu thereof the words and figures "(S. C. C. section 1740)".

The amendments were adopted.

Senator Cessna offered the following amendment and moved its adoption:

Amend by striking the words "is provided herein" in the last line of section one (1) and inserting in lieu thereof "as provided by law".

The amendment was adopted.

Senator Adams moved that Senate File No. 515 be made a special order for Tuesday, March 13th, at 10 a. m., which motion prevailed.

On motion of Senator Baird, Senate File No. 376, a bill for an act to amend section thirteen hundred eighty-seven (1387) of the code (C. C. 4610), relating to the annual tax list, 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 nine of section one, and by changing the comma (,) following the word "payable" in line eight of section one, to a period (.).

Senator Ethell moved that further action on this bill be deferred and that it retain its place on the calendar, which motion prevailed.

On motion of Senator Wichman, Senate File No. 470, a bill for an act to repeal section 1415 of the supplement to code 1913, (C. C. 4660) relating to apportionment of tax and interest 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 Wichman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Abben	Cessna	Kimberly	Scott
Adams	Darting	McIntosh	Shaff
Baird	Ethell	Mantz	Shane
Banta	Fulton	Nelson	Shinn
Bowman	Gilchrist	Olson	Slosson
Brookhart	Goodwin	Perkins	Smith
Brookins	Hale	Price	Snook
Browne	Hartman	Reed	Stoddard
Caldwell	Holdoegel	Rees	Thurston
Campbell	Johnston	Romkey	White
			Wichman

Nays, none.

Absent or not voting, 8.

Bergman	Dutcher	Horchem	Newberry
Buser	Haskell	Mead	Tuck

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

By unanimous consent Senator Romkey withdrew Senate File No. 481 from further consideration.

On motion of Senator Mantz, Senate File No. 397, a bill for an act amending section seventeen hundred and nine (1709) supplement to the code 1913, (C. C. 5627), relating to insurance other than life, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

On motion of Senator Cessna Senate File No. 397 was made a special order for 10:15 a. m. Tuesday, March 13th.

On motion of Senator Wichman, Senate File No. 471, a bill for an act to amend the law as it appears in section 1407 of the supplement to the code, 1913, (C. C. 653) relating to the collection of delinquent personal tax, was taken up and considered, the report of the committee recommending indefinite postponement having been rejected.

Senator Shinn offered the following amendment and moved its adoption:

Amend by striking out the word "October" in the last line and inserting in lieu thereof the word "November".

The amendment was adopted.

The bill was read for information.

Senator Wichman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 43.

Abben	Ethell	McIntosh	Shaff
Adams	Fulton	Mantz	Shane
Baird	Gilchrist	Mead	Shinn
Banta	Goodwin	Nelson	Slosson
Bowman	Hale	Olson	Smith
Brookhart	Hartman	Perkins	Snook
Brookins	Haskell	Price	Stoddard
Buser	Holdoegel	Reed	Thurston
Caldwell	Horchem	Rees	White
Campbell	Johnston	Romkey	Wichman
Cessna	Kimberly	Scott	

Nays, none.

Absent or not voting, 6.

Bergman	Darting	Newberry	Tuck
Browne	Dutcher		

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

On motion of Senator Hartman, Senate File No. 530, 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.

The bill was read for information.

Senator Hartman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Abben	Campbell	McIntosh	Scott
Adams	Ethell	Mantz	Shaff
Baird	Gilchrist	Mead	Shane
Banta	Goodwin	Nelson	Shinn
Bowman	Hale	Olson	Slosson
Brookhart	Hartman	Perkins	Smith
Brookins	Haskell	Price	Snook
Browne	Horchem	Reed	Stoddard
Buser	Johnston	Rees	Thurston
Caldwell	Kimberly	Romkey	White
			Wichman

Nays, none.

Absent or not voting, 8.

Bergman
Cessna

Darting
Dutcher

Fulton
Holdoegel

Newberry
Tuck

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

On motion of Senator Kimberly, Senate File No. 374, a bill for an act making an appropriation to reimburse the chair and furniture industry located at the state penitentiary, Fort Madison, Iowa, for chairs purchased for the committee clerks in the Thirty-eighth General Assembly, as authorized by the Senate Concurrent Resolution, March 22, 1919, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Kimberly moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben

Fulton

Kimberly

Shaff

Adams

Goodwin

Mantz

Shane

Baird

Gilchrist

Mead

Shinn

Banta

Hale

Olson

Slosson

Brookhart

Hartman

Perkins

Smith

Brookins

Haskell

Price

Snook

Caldwell

Horchem

Reed

Stoddard

Campbell

Holdoegel

Rees

Thurston

Ethell

Johnston

Scott

Wichman

Nays, none.

Absent or not voting, 13.

Bergman

Cessna

Nelson

Tuck

Bowman

Darting

Newberry

White

Browne

Dutcher

Romkey

Buser

McIntosh

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

On motion of Senator Ethell, Senate File No. 149, a bill for an act to amend, revise and codify section thirty-three hundred eighty-five (3885) and thirty-three hundred ninety-nine (3399) of the compiled code of Iowa, relating to land surveys, 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 of line 4 of section 3 the words and figures "ten dollars (\$10.00)" and inserting in lieu thereof the words and figures "five dollars (\$5.00)".

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking the period (.) from the end of subsection 1 of section 3 and inserting in lieu thereof a comma (,) and adding the following: "and actual traveling expenses."

Senator Stoddard withdrew his amendment.

The bill was read for information.

Senator Johnston moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Ethell	Kimberly	Romkey
Adams	Fulton	McIntosh	Scott
Baird	Gilchrist	Mantz	Shane
Banta	Goodwin	Mead	Shinn
Brookhart	Hale	Nelson	Slosson
Brookins	Hartman	Perkins	Stoddard
Buser	Haskell	Price	White
Caldwell	Horchem	Reed	Wichman
Campbell	Johnston	Rees	

Nays, 2.

Shaff

Snook

Absent or not voting, 12

Bergman	Cessna	Holdoegel	Smith
Bowman	Darting	Newberry	Thurston
Browne	Dutcher	Olson	Tuck

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

On motion of Senator Ethell, Senate File No. 136, a bill for an act to amend, revise, and codify sections thirty-two hundred nineteen (3219) to thirty-two hundred twenty-one (3221), inclusive, thirty-two hundred twenty-five (3225), thirty-two hundred twenty-six (3226), and thirty-two hundred twenty-eight (3228) of the compiled code of Iowa, relating to the coroner, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Johnston moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Fulton	Mantz	Slosson
Adams	Gilchrist	Nelson	Smith
Baird	Goodwin	Perkins	Snook
Banta	Hale	Price	Stoddard
Brookhart	Hartman	Reed	Thurston
Brookins	Haskell	Rees	Tuck
Buser	Holdoegel	Scott	White
Caldwell	Horchem	Shaff	Wichman
Campbell	Johnston	Shane	
Ethell	McIntosh		

Nays, none.

Absent or not voting, 13.

Bergman	Darting	Newberry	Romkey
Bowman	Dutcher	Olson	Shinn
Browne	Kimberly	Price	
Cessna	Mead		

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 271 and 141.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

On request of Senator Bowman Senate File No. 329 was ordered returned from the committee on highways to be placed on the calendar.

Senator Shane moved that the Senate reconsider the vote by which the committee report on House File No. 360 recommending indefinite postponement was adopted, which motion prevailed.

On motion of Senator Shane House File No. 360 was rereferred to the committee on insurance.

On motion of Senator Reed the Senate went into executive session.

Senate arose from executive session and resumed regular session.

On motion of Senator Price Senate adjourned to convene at the sound of the gavel.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

INTRODUCTION OF BILLS

Senate File No. 597, by Senator Banta, a bill for an act amending section three hundred sixty (360) (C. C. 8433) of the supplemental supplement to the code of Iowa 1915 relating to surety bonds.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 598, by Senator Gilchrist, a bill for an act to provide for storage of grain under state supervision and the issuance of storage certificates therefor, and providing penalties for violation thereof.

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

Senate File No. 599, by Senator Gilchrist, a bill for an act to amend section eleven hundred thirty-seven-a-fifteen (1137-a15) supplement to the code, 1913, relating to the use of voting machines.

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

Senate File No. 600, by Senator Holdoegel, a bill for an act to repeal section twenty-seven hundred ninety-two (2792) of the code (C. C. 2513) and to enact a substitute therefor, relating to the transfer of territory from one school district to another.

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

Senate File No. 601, by Senator Holdoegel, a bill for an act to amend chapter two hundred eighty-seven (287) of the acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly (C. C. title VIII, ch. 15) so as

to extend the provisions thereof to include the authorization of area testing the stock for tuberculosis and to authorize the board of supervisors of any county to levy a tax to assist in defraying the cost of tests.

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

REPORTS OF COMMITTEE

Senator Brookhart, 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. 61, a bill for an act to amend, revise and codify chapter twenty-three (23) of title five (5) of the compiled code of Iowa, relating to gold and silver alloy, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 525, a bill for an act authorizing drainage districts to issue funding bonds for the purpose of settling, adjusting, renewing and extending the legal indebtedness they may have or any part thereof, beg leave to report it has had the same under consideration and return the bill without recommendation.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred House File No. 228, a bill for an act to amend revise and codify sections seven thousand one hundred sixty-three (7163), seven thousand one hundred seventy-one (7171) to seven thousand one hundred seventy-three (7173), inclusive, seven thousand one hundred eighty (7180), seven thousand one hundred eighty-one (7181), seven thousand one hundred eighty-three (7183) to seven thousand one eighty-five (7185), inclusive, and seven thousand one hundred eighty-nine (7189), of the compiled code of Iowa, relating to the manner of commencing actions, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred House File No. 335, a bill for an act to amend section one (1)

chapter one hundred twenty-eight (128) of the acts of the Thirty-seventh General Assembly (C. C. section 5347), relative to dissolution of corporations, and the giving of notice of such dissolution, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred House File No. 406, a bill for an act to legalize \$75,000.00 school building bonds dated November 1, 1921, of the consolidated independent school district of Treynor, Pottawattamie county, Iowa, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 239, a bill for an act to amend, revise and codify section seven thousand nine hundred ten (7910) of the compiled code of Iowa, relating to distribution of intestate property, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *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 adopted the following concurrent resolution in which the concurrence of the Senate is asked:

Concurrent resolution extending an invitation to the Hon. Henry C. Wallace to address a joint convention of the House and Senate, Wednesday, March 14, at 11:30 a. m.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE CONCURRENT RESOLUTION CONSIDERED

By unanimous consent Senator Abben called up for consideration the following resolution, and moved its adoption:

HOUSE CONCURRENT RESOLUTION

Whereas, The Hon. Henry C. Wallace of Iowa, a member of the President's cabinet, will be in this city on Wednesday of next week, therefore,

Be It Resolved by the House, the Senate concurring, That a joint convention be held on Wednesday, March 14th, at 11:30 a. m., and that Mr. Wallace be invited to address the joint convention.

Be It Further Resolved, That the President of the Senate and the Speaker of the House extend the invitation to Mr. Wallace.

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

Ayes, 27.

Abben	Fulton	Johnston	Slosson
Banta	Gilchrist	Mantz	Smith
Brookhart	Hale	Nelson	Snook
Brookhart	Hartman	Perkins	Stoddard
Brookings	Haskell	Reed	Thurston
Campbell	Holdoegel	Scott	Wichman
Ethell	Horchem	Shane	

Nays, none.

Absent or not voting, 22.

Adams	Cessna	Mead	Shaff
Baird	Darting	Newberry	Shinn
Bergman	Dutcher	Olson	Tuck
Browne	Goodwin	Price	White
Buser	Kimberly	Rees	
Caldwell	McIntosh	Romkey	

The resolution having received a constitutional majority was declared to have passed the Senate.

KILBURN MEMORIAL RESOLUTION

Senator Smith offered the following resolution and moved its adoption:

Whereas, The Honorable Lucian Moody Kilburn, who was a member of the Senate body from Adair County in the Twenty-fifth, Twenty-sixth and Twenty-seventh General Assemblies, died March 9, 1922, therefore,

Be It Resolved, That a committee of three be appointed to draft suitable resolutions to be presented to the Senate body in commemoration of his life and public service.

The resolution was adopted and the President appointed as such committee Senators Smith, White and Perkins.

HAGER MEMORIAL RESOLUTION

Senator Smith offered the following resolution and moved its adoption:

Whereas, The Honorable A. L. Hager, of Des Moines, Iowa, formerly of Greenfield, Iowa, a member of the Iowa Senate in the Twenty-fourth General Assembly, died on January 30th, 1923, therefore,

Be It Resolved, That a committee of three be appointed to prepare a memorial to commemorate fittingly his service to this state and nation.

The resolution was adopted and the President appointed as such committee Senators Smith, Thurston and Fulton.

AMENDMENT WITHDRAWN ON HOUSE FILE 206

By unanimous consent Senator Shane withdrew his amendment to the title of House File No. 206.

The Journal of March 9 was corrected and approved.

On motion of Senator Abben the Senate adjourned until 10 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 12, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. Chas. S. Medbury, pastor of the University Christian church of Des Moines, Iowa.

On motion of Senator Shaff rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Reed for the day, on request of Senator Stoddard; Senator Newberry for the forenoon, on request of Senator Abben; Senator Olson for the day, on request of Senator Banta; Senator Bowman for the day, on request of Senator McIntosh.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator McIntosh from voters of Boone endorsing Senate File No. 299 relative to primary elections. Elections.

By Senator White from voters of Tama county endorsing Senate File 299 relative to primary elections. Elections.

By Senator Baird from citizens of Pottawattamie county protesting proposed changes in the wage exemption laws. Judiciary No. 2.

By Senator Baird from citizens of Pottawattamie county endorsing Senate File 488 proposing competitive bidding on all construction under control of the board of education. Educational institutions.

By Senator Hartman from the American Legion Auxiliary of Sheehan Post No. 375, Clermont, protesting the Ontjes bill repealing the soldiers' tax exemption law. Military affairs.

By Senator Hartman from Argonne Post No. 60, American Legion, Des Moines, protesting proposed repeal of the soldiers' tax exemption law. Military affairs.

By Senator Hartman from the Ladies Study Club of Elgin, endorsing the teachers' annuity bill. Schools.

The following petitions from the Modern Woodmen protesting the Richmond bill were presented and referred to the committee on insurance:

By Senator McIntosh from Camp 286, Creston. By Senator Fulton from Camp 246, Fairfield. By Senator Brookins from Camp 1310, Ionia. By Senator Price from Camp 1855, Columbia. By Senator Nelson from Camp 1537, Anita. By Senator Hartman from Camp 8376, Elgin. By Senator Hartman from Camp 327, Waukon. By Senator Stoddard from Camp 4655, Danbury. By Senator Gilchrist from Camp 3365, Havelock. By Senator Holdoegel from Camp 4026, Somers. By Senator Holdoegel from Camp 2531, Lohrville. By Senator Hartman from Camp 8274, Harpers Ferry. By Senator Stoddard from M. W. A., Danbury.

INTRODUCTION OF BILLS

Senate File No. 602, by Senator Browne, a bill for an act to prohibit soliciting subscriptions and offering for sale books and supplies at city and county teachers' institutes and to provide penalties for violation thereof.

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

Senate File No. 603, by Senator Buser, a bill for an act amending section forty-five (45) of chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly (C. C. 2953) relating to the amount of money that can be expended by the highway commission in one (1) year for administration purposes.

Read first and second times and referred to committee on highways.

REPORTS OF COMMITTEES

Senator Brookhart, 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. 379, a bill for an act to amend section four thousand forty-five (4045) of the code (C. C. sec. 7739), relating to the redemption and possession of property sold under execution, beg leave to report it has had the same under consideration and recommends the

same be amended as follows: and when so amended the bill be returned without further recommendation.

Amend by adding to the same at the end of section one thereof the following: "This act shall not affect existing contracts or agreements".

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 371, a bill for an act to permit and authorize the filing of notices of liens for taxes in favor of the United States of America, beg leave to report it has had the same under consideration and recommends 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 the following in lieu thereof:

Section 1. The notice of a lien for any tax in favor of the government of the United States or any release of such lien, may be filed and recorded in the office of the county recorder in any county within which the property subject to the lien is situated. Such county recorder shall file, record and index any such notice of lien or any release of the same without fee.

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 News, newspapers published at Des Moines, Iowa.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

HENIGBAUM MEMORIAL RESOLUTION

Senator Kimberly offered the following resolution and moved its adoption:

Whereas, Honorable Fred G. Henigbaum, who was a member of the state Senate from Scott county in the Thirty-sixth and Thirty-seventh General Assemblies, died at his home in Davenport, Iowa,

Therefore, Be It Resolved by the Senate of the Fortieth General Assembly, That a committee of three be appointed to draft suitable resolutions to commemorate his life, character and service to the state.

The resolution was adopted and the President appointed as such committee, Senators Kimberly, Haskell and Price.

MESSAGES FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House concurs in Senate amendments to House File 357.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 309, a bill for an act to repeal section one thousand four hundred fifty-nine (1459) of the code of 1897 (C. C. section 4769), relating to the collection, possession and remittance of moneys belonging to the state treasury by county treasurers and to enact a substitute therefor.

Also, 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 to provide for the seizure and disposition of any vehicle containing intoxicating liquors which are being transported in violation of law.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 286, a bill for an act to legalize an election in Lucas County, Iowa, and to legalize certain jail bonds and refunding bonds issued pursuant thereto.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 531, a bill for an act to amend section fifteen hundred twenty-eight (1528), supplement to the code, 1913 (C. C. 3440), relating to the time of meeting of the township trustees.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 434, a bill for an act to amend section eight hundred twenty-five (825) of the supplement to the code, 1913 (C. C. 3889), as amended by chapter two hundred fifty-five (255) acts of the Thirty-ninth General Assembly, relating to special assessments in cities and towns.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 438, a bill for an act to amend section four thousand eight hundred ninety-eight (4898) of the supplement to the code, 1913, (C. C. 9008), relating to breaking jail and punishment.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 480, 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 (C. C. 5334).

Also, that the House refuses to concur in Senate amendments to House File 224.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Fulton Senate File No. 388, a bill for an act to repeal chapter two hundred eighteen (218), (S. C. C. 39-a1, 39-a2, 39-a3, 39-a4, 39-a5, 39-a6), acts of the Thirty-ninth (39th) General Assembly and sections one hundred eighty-two

(182) and one hundred eighty-three (183) of the code, 1897, (C. C. 40, 41) relating to the retrenchment and reform committee, and to vest certain authority exercised by this committee in the executive council, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Fulton the words "within the law" were inserted after the word "correct" in line 5; and the last word in line 7 was stricken out and the word "orders" was inserted in lieu thereof.

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

Senator Fulton invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 23.

Baird	Campbell	McIntosh	Shane
Bergman	Ethell	Mantz	Shinn
Brookhart	Fulton	Mead	Snook
Brookins	Hartman	Nelson	Thurston
Browne	Johnston	Rees	Tuck
Buser	Kimberly	Romkey	

Nays, 15.

Abben	Hale	Perkins	Slosson
Adams	Haskell	Price	Stoddard
Banta	Holdoegel	Scott	Wichman
Gilchrist	Horchem	Shaff	

Absent or not voting, 11.

Bowman	Darting	Newberry	Smith
Caldwell	Dutcher	Olson	White
Cessna	Goodwin	Reed	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Brookhart Senate File No. 568, a bill for an act authorizing the executive council to exchange certain lands belonging to the state for other lands, was taken up and considered, the report of the committee having been previously adopted.

The bill was read for information.

Senator Brookhart moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Cessna	Horchem	Shaff
Adams	Darting	Johnston	Shane
Banta	Ethell	Kimberly	Shinn
Bergman	Fulton	McIntosh	Slosson
Brookhart	Gilchrist	Mantz	Snook
Brookins	Hale	Mead	White
Browne	Hartman	Nelson	Wichman
Buser	Haskell	Perkins	
Campbell	Holdoegel	Scott	

Nays, 1.

Stoddard

Absent or not voting, 14.

Baird	Goodwin	Reed	Thurston
Bowman	Newberry	Rees	Tuck
Caldwell	Olson	Romkey	
Dutcher	Price	Smith	

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

Senator Brookhart moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Cessna Senate File No. 594 was made a special order for Tuesday, at 10 a. m.

On motion of Senator Baird Senate File No. 428, a bill for an act to repeal chapter forty-six (46) of the laws of the Thirty-eighth (38th) General Assembly relating to a tax levy for park improvement purposes, 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 amendment was adopted:

Amend by striking out the word "than" as it appears in line nineteen (19) of section one (1) thereof and insert the word "then" in lieu thereof.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Abben	Ethell	Johnston	Shaff
Adams	Fulton	Kimberly	Shane
Baird	Gilchrist	McIntosh	Slosson
Bergman	Hale	Mantz	Snook
Brookins	Haskell	Mead	Stoddard
Browne	Holdoegel	Perkins	White
Darting	Horchem	Scott	Wichman

Nays, none.

Absent or not voting, 21.

Banta	Campbell	Nelson	Rees
Bowman	Cessna	Newberry	Romkey
Brookhart	Dutcher	Olson	Shinn
Buser	Goodwin	Price	Smith
Caldwell	Hartman	Reed	Thurston
			Tuck

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

On motion of Senator Baird Senate File No. 427, a bill for an act to repeal section (C. C. 3684) 850-p supplemental supplement to the code, 1915, as amended by chapter 58 of the laws of the 38th General Assembly and by chapter 26 of the laws of the 39th General Assembly relating to 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.

By unanimous consent on request of Senator Baird the words and figures "Section 1" were inserted at the beginning of the first line of the bill.

The bill was read for information.

Senator Baird moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Abben	Ethell	Mantz	Shane
Adams	Fulton	Mead	Slosson
Baird	Gilchrist	Nelson	Snook
Bergman	Hale	Perkins	Thurston
Brookins	Hartman	Rees	White
Browne	Haskell	Scott	Wichman
Darting	McIntosh	Shaff	

Nays, none.

Absent or not voting, 22.

Banta	Cessna	Kimberly	Shinn
Bowman	Dutcher	Newberry	Smith
Brookhart	Goodwin	Olson	Stoddard
Buser	Holdoegel	Price	Tuck
Caldwell	Horchem	Reed	
Campbell	Johnston	Romkey	

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

Senator Baird moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Browne Senate File No. 466, a bill for an act to legalize a special election held in the city of Maquoketa, Jackson County, Iowa, whereat the proposition of issuing bonds in the sum of \$70,000.00 was submitted to the voters for the purpose of constructing and directing extensions to the municipal electric light system, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Browne moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Abben	Darting	Kimberly	Shaff
Adams	Ethell	McIntosh	Shane
Baird	Fulton	Mantz	Shinn
Bergman	Gilchrist	Mead	Slosson
Brookhart	Hale	Nelson	Snook
Brookins	Hartman	Perkins	Stoddard
Browne	Haskell	Price	Thurston
Buser	Holdoegel	Rees	Wichman
Campbell	Horchem	Romkey	
Cessna	Johnston	Scott	

Nays, none.

Absent or not voting, 11.

Banta	Dutcher	Olson	Tuck
Bowman	Goodwin	Reed	White
Caldwell	Newberry	Smith	

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

SENATE INSISTS ON AMENDMENTS

Senator Brookhart moved that the Senate insist on its amendments to House File No. 224.

On the question "Shall the Senate insist on its amendments?" the vote was:

Ayes, 39.

Abben	Ethell	McIntosh	Shane
Adams	Fulton	Mantz	Shinn
Baird	Gilchrist	Mead	Slosson
Bergman	Hale	Nelson	Snook
Brookhart	Hartman	Perkins	Stoddard
Brookins	Haskell	Price	Thurston
Browne	Holdoegel	Rees	Tuck
Buser	Horchem	Romkey	White
Campbell	Johnston	Scott	Wichman
Darting	Kimberly	Shaff	

Nays, none.

Absent or not voting, 10.

Banta	Cessna	Newberry	Smith
Bowman	Dutcher	Olson	
Caldwell	Goodwin	Reed	

The motion prevailed.

Senator Brookhart moved that a conference committee be appointed, which motion prevailed and the President appointed as such committee Senators Brookhart, Gilchrist, Shaff and Bergman.

HOUSE AMENDMENT TO SENATE FILE NO. 309 CONSIDERED

Senator Buser called up for consideration Senate File No. 309, amended by the House and moved that the Senate concur in the following amendment:

Amend Senate File No. 309 by striking out of line twenty-four (24) of said section the word "shall" and substituting in lieu thereof the word "may".

On the question "Shall the Senate concur?" the vote was:

Ayes, 36.

Abben	Ethell	Kimberly	Scott
Adams	Fulton	McIntosh	Shaff
Baird	Gilchrist	Mantz	Shane
Bergman	Hale	Mead	Shinn
Brookhart	Hartman	Nelson	Snook
Brookins	Haskell	Perkins	Thurston
Buser	Holdoegel	Price	Tuck
Campbell	Horchem	Rees	White
Darting	Johnston	Romkey	Wichman

Nays, none.

Absent or not voting, 13.

Banta	Caldwell	Goodwin	Reed
Bowman	Cessna	Newberry	Slosson
Browne	Dutcher	Olson	Smith
			Stoddard

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

HOUSE AMENDMENTS TO SENATE FILE NO. 265 CONSIDERED

Senator McIntosh called up for consideration Senate File No. 265 amended by the House and moved that the Senate concur in the following amendments:

Amend by inserting after the comma (,) following the word "seizure" in line forty-two (42) thereof, the following:

"And by mailing the same to the secretary of state who shall, if the owner appears of record in his office, notify such owner of the fact of seizure, and if not of record, said secretary shall mail such description to the county treasurer of each county, and to the state bureau of investigation."; also by striking out the word "ten" in line forty-three (43) thereof, and inserting in lieu thereof the word "sixty".

On the question "Shall the Senate concur?" the vote was:

Ayes, 35.

Abben	Ethell	McIntosh	Shaff
Adams	Fulton	Mantz	Shane
Baird	Gilchrist	Mead	Shinn
Bergman	Hartman	Nelson	Snook
Brookhart	Haskell	Perkins	Thurston
Brookins	Holdoegel	Price	Tuck
Buser	Horchem	Rees	White
Campell	Johnston	Romkey	Wichman
Darting	Kimberly	Scott	

Nays, none.

Absent or not voting, 14.

Banta	Cessna	Newberry	Smith
Bowman	Dutcher	Olson	Stoddard
Browne	Goodwin	Reed	
Caldwell	Hale	Slosson	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Haskell moved that ex-Senator Frailey be invited to address the Senate, which motion prevailed.

The President appointed Senator Haskell as a committee of one to escort Senator Frailey to the desk.

Senator Frailey addressed the Senate briefly.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files Nos. 141 and 271.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports it has on this 12th day of March, 1923, sent to the Governor for his approval, Senate Files Nos. 141 and 271.

F. C. GILCHRIST, *Chairman*.

Passed on file.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

REPORTS OF COMMITTEES

Senator Campbell submitted the following report:

MR. PRESIDENT: Your committee on telegraph and telephone to which was referred Senate File No. 266, a bill for an act to amend section seven hundred twenty-five (725) of the supplement to the code of Iowa, relating to powers of cities and towns to regulate public utilities, rates and service, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ED. H. CAMPBELL, *Chairman*.

Ordered passed on file.

Senator Nelson, from the committee on dairy and food, submitted the following report:

MR. PRESIDENT: Your committee on dairy and food to whom was referred Senate File No. 513, a bill for an act to prohibit the sale or exchange of any milk, cream, skim milk, buttermilk, etc., to which has been added any fat or oil other than milk fat; providing penalties for the violation thereof, and amending Chap. 206, acts of the 38th G. A. (C. C. 1445), 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. It shall be unlawful for any person, firm or corporation, by himself, or by any officer, servant, or agent, or as the servant or agent of another, to manufacture, sell or exchange or have in possession with intent to sell or exchange, any milk, cream, ice cream, skim milk, buttermilk, condensed or evaporated milk, powdered or desiccated milk, condensed skim milk, or any fluid derivatives of any of them to which has been added any fat or oil other than milk fat, either under the name of said products or articles or the derivatives thereof or under any fictitious or trade name whatsoever.

"Sec. 2. Any person, firm or corporation violating any provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail for not more than thirty (30) days or by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00), or by both such fine and imprisonment.

"Sec. 3. The dairy and food commissioner, by himself or by his assistants, chemists, inspectors or agents, shall be charged with the enforcement of the provisions of this act.

"Sec. 4. Section two (2) of chapter two hundred six (206), acts of the Thirty-eighth General Assembly (C. C. 1445) is hereby amended by striking out all after line sixty-seven (67) thereof."

Also that the title be amended to read as follows: "An act to prohibit the sale or exchange, or to have in possession with intent to sell or exchange, any milk, cream, ice cream, skim milk, buttermilk, condensed or evaporated milk, powdered or desiccated milk, condensed skim milk, or any of the fluid derivatives of any of them to which has been added any fat or oil other than milk fat; providing penalties for the violation of the provisions of this act, and amending chapter two hundred six (206), acts of the Thirty-eighth General Assembly (C. C. 1445)."

J. A. NELSON, *Chairman*.

Ordered passed on file.

HOUSE MESSAGES CONSIDERED

House File No. 531, a bill for an act to amend section fifteen hundred twenty-eight (1528) of the supplement to the code, 1913 (C. C. sec. 3440) relating to the time of meeting of the township trustees.

Read first and second time and referred to committee on county and township affairs.

House File No. 480, 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 (C. C. 5334).

Read first and second time and referred to committee on judiciary No. 1.

House File No. 434, a bill for an act to amend section eight hundred twenty-five (825) of the supplement to the code, 1913 (C. C. 3889) as amended by chapter two hundred fifty-five (255) acts of the Thirty-ninth General Assembly relating to special assessments in cities and towns.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 438, a bill for an act to amend section four thousand eight hundred ninety-eight (4898) of the supplemental code of Iowa of 1913 (C. C. 9008), relating to breaking jail and punishment.

Read first and second time and referred to committee on judiciary No. 1.

The resignation of Edwin Stone, floor page, dated March 10th, was tendered and accepted.

MOTION TO RECONSIDER FILED

March 12, 1923.

MR. PRESIDENT: I move to reconsider the vote by which Senate File No. 388 failed to pass, the Senate.

JNO. R. PRICE.

The journal of March 10th was corrected and approved.

On motion of Senator Haskell the Senate adjourned until 9 a. m., Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER.
DES MOINES, IOWA, MARCH 13, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. Ralph Hall Collis, pastor of the Methodist Episcopal Church, of Conrad, Iowa.

On motion of Senator Campbell rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

The following petitions from Modern Woodmen of America protesting House File No. 544 relative to fraternal beneficiary societies were presented and referred to the committee on insurance: By Senator Slosson from Camp 717, Forest City. By Senator Rees from Camp 336, Sidney. By Senator Wichman from Camp 3883, Corwith. By Senator Abben from Camp 3314, Hull.

Senator Wichman presented a petition from the Modern Brotherhood of America, Mason City, endorsing House File No. 544 which was also referred to the committee on insurance.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate File No. 141.

REPORTS OF COMMITTEES

Senator Brookins submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred Senate File No. 508, a bill for an act authorizing the state board of conservation to establish, operate and maintain nurseries for production of trees for reforestation work in Iowa, imposing a penalty for violation of this act, and providing funds for carrying out the work, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

A. T. BROOKINS, *Chairman*.

Ordered passed on file.

Senator Ethell submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 544, a bill for an act to amend section two hundred eighty-eight (288) of the code of 1897 (C. C. section 6974) relating to the records and books to be kept by the clerk of the district court, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Senator Newberry submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 275, a bill for an act to amend section one hundred-e (100-e), supplement to the code, 1913 (C. C. 134), to provide for the auditing of the financial conditions of school corporations and authorize the superintendent of public instruction and the auditor of state to prepare forms, begs leave to report it has had the same under consideration and recommends the same do pass.

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Senator Caldwell submitted the following report:

MR. PRESIDENT: Your committee on drainage to which was referred Senate File No. 281, a bill for an act to empower boards of supervisors to issue drainage warrants and thereby adjust and equalize drainage assessments in certain cases after drainage assessments have been or shall be made, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out section 1 of the bill and inserting in lieu thereof the following:

"Section 1. That in all cases where drainage districts have been established consisting of open or closed mains which are beneficial to the entire district, and also of laterals; and where assessments have been made or fixed based upon the estimated costs, expenses, costs of construction, fees and damages for improvements which are beneficial to the entire district and also for the estimated costs, expenses, costs of construction, fees and damages for such laterals; and where the laterals may be or were afterwards actually constructed for a materially less amount than was so estimated for such laterals (including the costs, expenses, costs of construction, fees and damages pertaining thereto), and where the lands to be benefited by the laterals have been assessed for their proper share of the costs of such open and closed mains and outlets; and where such difference between such estimated cost of the lateral and such actual cost thereof is capable of ascertainment, either by reference to the report of the commission which was appointed to inspect and classify the lands benefited, or in some other manner, then the board of supervisors or joint board of supervisors or other officers having control of such drainage district shall be, and hereby are, au-

thorized and directed to return to the several owners of the land benefited and assessed for such laterals the respective proportional parts of such excess assessments made for such laterals by the issuance of warrants drawn upon the district fund."

W. A. CALDWELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on drainage to which was referred House File No. 431, a bill for an act to amend section one thousand nine hundred eighty-nine-a two (1989-a2) of the supplement to the code, 1913, as amended by chapter three hundred forty-four (344), acts of the Thirty-seventh General Assembly, relating to proceedings to establish levees, ditches and drainage districts, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by inserting the word "district" immediately after the word "improvement" in line nine (9).

W. A. CALDWELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on drainage to which was referred Senate File No. 292, a bill for an act to amend the law found in chapter 415 of the acts of the Thirty-seventh General Assembly, (C. C. sec. 4837), relating to the straightening of creeks and rivers, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking out of lines six and seven of section 1 of the bill the following:

"By striking out of line eight (8) of said section one (1) the word 'may' and in lieu thereof inserting the word 'shall'."

W. A. CALDWELL, *Chairman*.

Ordered passed on file.

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 325, a bill for an act to amend chapter two hundred eighty-five (285) acts of the Thirty-eighth General Assembly (C. C. sec. 3957-3954) providing for the protection of cities from damage by floods, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking all after the enacting clause and by substituting in lieu thereof the following:

Section 1. That section nine (9) of chapter two hundred eighty-five (285), acts of the Thirty-eighth (38) General Assembly, be amended by substituting therefor the following: "Section 9. When the work is contracted for as herein provided, the council shall assess the lands and

other property included within the improvement district for such part of the cost of the improvement as shall be equal and in proportion to the benefit conferred by the improvement, but not in excess of twenty-five per cent of the value of said lands and other property after the improvement shall have been made."

Sec. 2. That section fourteen (14) of chapter two hundred eighty-five (285), acts of the Thirty-eighth (38) General Assembly, be amended by adding after the word "improvement" the following: "and there may be included as a part of the improvement the work of filling the old channel at other places than at the intersection of the same by a street or alley and, if included, the city engineer shall be required to furnish plans and specifications, estimates, plats and schedules and the ownership and value of each lot or parcel of land in the old channel; and, when the improvement is completed, the council shall assess the cost of such filling against the lots and land or parts of lots or land in the channel wholly or partly filled. The limitation in section seven hundred ninety-two-a (792-a) of the supplement to the code, 1913, relative to twenty-five per cent of the value, shall not be applicable in the assessment of the cost or said work of filling, "provided, however, that such cost shall not exceed the benefits conferred on the tract so filled."

Sec. 3. That section fifteen (15) chapter two hundred eighty-five (285), acts of the Thirty-eighth (38) General Assembly, be amended by striking therefrom the words "where it is to be abandoned" in the sixth line thereof, and substituting the words "as ordered by the council."

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 Des Moines Register, newspapers published in Des Moines, Iowa.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 538, a bill for an act to amend section 3593 of the compiled code of Iowa, relating to the cleaning of streets, the establishment of sanitary districts and providing for the levy of an annual tax for the purpose of carrying out the provisions of this act and the disbursement of same, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 554, a bill for an act to amend section six hundred sixty-a, chapter 2, title 5, of the supplement to the code, 1913, (C. C. 3539), relating to the deposit of funds of towns and cities, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 528, a bill for an act relating to playground maintenance fund in cities and to govern the use of said fund, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File No. 343, a bill for an act to require the officers of counties to limit annual expenditures in the several funds to the actual collectible revenues of such funds, and fixing the liability for violation of the provisions hereof.

Also, 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 nineteen hundred eighty-nine-a2 (1989-a2) supplement to the code, 1913, (C. C. 4837) relative to drainage.

Also, 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 and revise section two hundred fifty-four-a-20 (254-a20), supplement to the code, 1913, as amended by chapter one hundred seven (107), acts of the Thirty-eighth (38th) General Assembly, chapter fifty-one (51), acts of the Thirty-ninth (39th) General Assembly, and chapter two hundred fifty-two (252), acts of the Thirty-ninth General Assembly (S. C. C. sec. 2104), relating to financial aid to widowed mothers of dependent or neglected children.

A. C. GUSTAFSON, *Chief Clerk*.

Senator Mead moved that Senate File No. 271 be recalled from the Governor for the purpose of correcting the title, which motion prevailed.

On motion of Senator Rees Senate File No. 522 was withdrawn from further consideration.

On motion of Senator Buser Senate File No. 480 was withdrawn from further consideration.

On motion of Senator Smith Senate File No. 373 was made a special order for Wednesday, March 14th, at 11 a. m.

THIRD READING OF BILLS

On motion of Senator Snook, House File No. 530, a bill for an act to legalize the incorporation, including the notice of incorporation and the publication thereof, and corporate acts and proceedings of the B. & K. Coal Company of Burlington, 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 Snook moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was :

Ayes, 38.

Baird	Ethell	McIntosh	Shane
Bergman	Fulton	Mead	Slosson
Brookhart	Gilchrist	Nelson	Snook
Brookins	Goodwin	Newberry	Stoddard
Browne	Hale	Olson	Thurston
Buser	Hartman	Perkins	Tuck
Caldwell	Haskell	Price	White
Campbell	Holdoegel	Rees	Wichman
Darting	Horchem	Romkey	
Dutcher	Johnston	Shaff	

Nays, none.

Absent or not voting, 11.

Abben	Bowman	Maptz	Shinn
Adams	Cessna	Reed	Smith
Banta	Kimberly	Scott	

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

On motion of Senator Baird House File No. 406, a bill for an act to legalize \$75,000.00 school building bonds dated November 1st, 1921, of the consolidated independent school district of Treynor, Pottawattamie County, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Baird moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was :

Ayes, 38.

Abben	Brookhart	Buser	Darting
Baird	Brookins	Caldwell	Dutcher
Bergman	Browne	Cessna	Ethell

Fulton	Johnston	Perkins	Slosson
Gilchrist	Kimberly	Price	Snook
Goodwin	McIntosh	Rees	Tuck
Hale	Mantz	Romkey	White
Hartman	Mead	Shaff	Wichman
Holdoege	Newberry	Shane	
Horchem	Olson	Shinn	

Nays, none.

Absent or not voting, 11.

Adams	Campbell	Reed	Stoddard
Banta	Haskell	Scott	Thurston
Bowman	Nelson	Smith	

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

Senator Price called up for consideration his motion to reconsider the vote by which Senate File No. 388 failed to pass the Senate, found on page 772 of the Senate Journal.

The motion to reconsider prevailed.

Senator Hale invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 26.

Baird	Cessna	Mantz	Shane
Bergman	Darting	Mead	Shinn
Brookhart	Ethell	Nelson	Snook
Brookins	Fulton	Olson	Thurston
Browne	Hartman	Price	Tuck
Buser	Johnston	Rees	
Caldwell	McIntosh	Romkey	

Nays, 18.

Abben	Haskell	Perkins	Stoddard
Dutcher	Holdoege	Scott	White
Gilchrist	Horchem	Shaff	Wichman
Goodwin	Kimberly	Slosson	
Hale	Newberry	Smith	

Absent or not voting, 5.

Adams	Bowman	Campbell	Reed
Banta			

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

Senator Price moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The President held the motion out of order, inasmuch as there had been one reconsideration of the vote on this bill.

On motion of Senator Smith House File No. 16, a bill for an act to amend, revise and codify chapter fourteen (14) of title two (2) of the compiled code of Iowa, relating to the census, 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 of line 3 of section 14, the words, "available statistics relative to", and inserting in lieu thereof the words, "other statistics in reference to the banking, railroads, insurance, manufactures, education and".

The bill was read for information.

Senator Smith moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Ethell	McIntosh	Shinn
Adams	Fulton	Mantz	Slosson
Baird	Hale	Nelson	Smith
Bergman	Hartman	Newberry	Snook
Brookhart	Haskell	Olson	Stoddard
Buser	Holdoegel	Rees	Thurston
Caldwell	Horchem	Romkey	Tuck
Campbell	Johnston	Scott	White
Dutcher	Kimberly	Shane	Wichman

Nays, none.

Absent or not voting, 13.

Banta	Cessna	Mead	Shaft
Bowman	Darting	Perkins	
Brookins	Gilchrist	Price	
Browne	Goodwin	Reed	

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

On motion of Senator Ethell Senate File No. 140, a bill for an act to amend, revise and codify sections thirty-two hundred seventy-eight (3278), thirty-two hundred seventy-nine (3279), thirty-two hundred eighty-three (3283), thirty-two hundred eighty-seven (3287), thirty-two hundred eighty-nine (3289), and thirty-two hundred ninety-three (3293) of the compiled code of Iowa, relating to the support of the poor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 44.

Abben	Cessna	Kimberly	Shaff
Adams	Darting	McIntosh	Shane
Baird	Dutcher	Mantz	Shinn
Banta	Ethell	Mead	Slosson
Bergman	Gilchrist	Nelson	Smith
Brookhart	Goodwin	Newberry	Snook
Brookins	Hale	Olson	Stoddard
Browne	Hartman	Perkins	Thurston
Buser	Haskell	Rees	Tuck
Caldwell	Holdoegel	Romkey	White
Campbell	Horchem	Scott	Wichman

Nays, none.

Absent or not voting, 5.

Bowman	Johnston	Price	Reed
Fulton			

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

On motion of Senator Browne Senate File No. 515, a bill for an act to amend the law as it appears in section ten (10) of chapter two hundred eighty-seven (287) acts of the Thirty-eighth General Assembly as amended by section one (1) of chapter forty-four (44) of the acts of the Thirty-ninth General Assembly (C. C. Supplement 1740) relating to the control and suppression of dangerous, contagious and infectious diseases of domestic animals, was taken up and considered, the report of the committee, having been previously adopted.

Senator Price moved that further action on Senate File No. 515 be deferred until 1:30 this afternoon.

Senator Price withdrew his motion.

Senator Newberry moved that further action be deferred until 10 a. m. Wednesday, which motion was lost.

Senator Romkey moved the previous question which motion prevailed, and the previous question was ordered.

The bill was read for information.

Senator Browne moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Abben	Brookins	Cessna	Ethell
Baird	Browne	Darting	Fulton
Brookhart	Campbell	Dutcher	Gilchrist

Goodwin
Hale
Hartman
Holdoegel
Horchem
Johnston

McIntosh
Mantz
Nelson
Newberry
Olson
Price

Romkey
Shane
Shinn
Smith
Snook
Stoddard

Thurston
Tuck
Wichman

Nays, 8.

Adams
Banta

Buser
Caldwell

Haskell
Mead

Perkins
Slosson

Absent or not voting, 8.

Bergman
Bowman

Kimberly
Reed

Rees
Scott

Shaff
White

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

Senator Browne moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Cessna Senate File No. 594, a bill for an act creating a department of agriculture; providing for the election of a secretary of agriculture; conferring on the department of agriculture certain powers and duties; conferring on the secretary of agriculture the powers and duties now executed by the existing department of agriculture, including the horticultural association, weather and crop service department, the commission of animal health, state veterinarian, corn and small grain producers' association, beef breeders' association, state dairy association, state dairy and food commission, state poultry association, forestry commission, geological survey, state oil inspector, board of conservation, inspector of weights and measures, all hotel inspectors and inspectors of eating houses, ice cream manufacturers, bakeries, grocery stores, and candy manufacturers, a committee bill, was taken up and considered.

Senator Cessna offered the following amendments and moved their adoption:

Amend the title by inserting the words "appointment and" after the word "the" in line one.

Also amend by striking out the words "a deputy" in line 13 of section 1 and inserting in lieu thereof the word "deputies".

Also amend by striking out the word "including" in line 5 of section 3.

The amendments were adopted.

Senator Mantz offered the following amendments and moved their adoption:

Amend by striking the word "commission" from the title and inserting in lieu thereof the word "commissioner".

Also amend by striking the word "commission" from line 9 of section 3 and inserting in lieu thereof the word "commissioner".

The amendments were adopted.

Senator Tuck offered the following amendment and moved its adoption:

Amend by adding as section 5 the following:

"Sec. 5. This act being deemed of immediate importance, shall take effect on July 1, 1923, after publication in the Des Moines Register and Des Moines Capital, newspapers published in Des Moines, Iowa."

The amendment was adopted.

Senator Smith offered the following amendment and moved its adoption:

Amend by adding a comma following the word "shall" in line 13 of section 1 and by adding the following: "subject to the approval of the executive council,".

The amendment was adopted.

Senator Newberry offered the following amendments and moved their adoption:

Amend by striking out lines 23 to 29 inclusive of section 2.

Also amend section 3 by striking out the words "Forestry Commission" appearing in line 9 and the words "Geological Survey" and "Board of Conservation" appearing in line 10 thereof.

Senator Banta raised the point of order that there was a motion before the Senate on the amendments offered by Senator Newberry and any other discussion was out of order.

The President held the point well taken.

Senator Gilchrist offered the following substitute amendment and moved its adoption:

Amend by striking out all after the word "surroundings" in line 24 of section 2 of the bill.

Senator Thurston offered the following amendment to the amendment offered by Senator Gilchrist and moved its adoption:

Amend by striking out of sub-section C of section 2 the words "to preserve and protect the forest reserves and public parks of the state".

Senator Gilchrist raised the point of order that Senator Thurston's amendment was out of order as it was an attempt to amend an amendment to an amendment.

The President held the point well taken.

Senator Thurston withdrew his amendment.

Senator Gilchrist offered the following amendment and asked unanimous consent to substitute same for the previous amendment offered by him:

Amend by striking out all of subsection C of section 2 following the comma after the word "surroundings" in line 24 of said section 2 and by commencing the word "to" in line 24 with a capital letter "T". Also amend section 3 by striking out the words "the board of conservation" appearing in line 10 thereof.

The substitution was made.

Senator Stoddard moved that further action be deferred until 2:30 p. m.

Senator Wichman moved that the Senate adjourn until 1:30 p. m.

Senator Smith moved to amend by making the hour 4 p. m.

The amendment was adopted and the Senate adjourned until 4 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Bowman for the day, on request of Senator McIntosh; Senator Reed for the day, on request of Senator Tuck.

REPORTS OF COMMITTEES

Senator Mead submitted the following report:

MR. PRESIDENT: Your committee on fish and game to which was referred Senate File No. 506, a bill for an act relating to the protection of ruffed grouse or pheasant, begs leave to report it has had the same under consideration and recommends the same do pass.

O. L. MEAD, *Chairman*.

Ordered passed on file.

Senator Wichman submitted the following report:

MR. PRESIDENT: Your committee on elections to which was referred Senate File No. 502, a bill for an act to provide for the holding of schools of instructions for election boards, begs leave to report it has had the same under consideration and recommends the same do pass.

J. E. WICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections to which was referred

Senate File No. 570, a bill for an act to amend section ten hundred eighty-seven-a twenty-five (1087-a25) and section ten hundred eighty-seven-a twenty-seven (1087-a27) of the supplement to the code, 1913, and to provide for representation by both men and women on the central committees of political parties, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. E. WICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections to which was referred Senate File No. 501, a bill for an act to amend section eight (8) of chapter sixty (60) of the acts of the Thirty-ninth (39th) General Assembly (C. C. supplement, sec. 499-a14), relating to the penalty for violation of the provisions of the law relating to the counting of ballots of election, begs leave to report it has had the same under consideration and recommends the same do pass.

J. E. WICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections to which was referred House File No. 477, a bill for an act to amend section six hundred forty-two (642) of the code, (C. C. 3511) relating to elections in cities and towns, begs leave to report it has had the same under consideration and recommends the same do pass.

J. E. WICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections to which was referred Senate File No. 541, a bill for an act to repeal chapter three hundred eighteen (318) acts of the Thirty-seventh General Assembly (C. C. 352) and an act relating to the office of superintendent of public instruction and enact a substitute therefor, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. E. WICHMAN, *Chairman*.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 19.

Adams	Fulton	Perkins	Smith
Banta	Horchem	Price	Tuck
Bergman	Johnston	Shaff	White
Caldwell	Mantz	Shane	Wichman
Dutcher	Olson	Slosson	

Nays, 12.

Ruser	Goodwin	Newberry	Snook
Campbell	McIntosh	Romkey	Stoddard
Gilchrist	Nelson	Shinn	Thurston

Absent or not voting, 18.

Abben	Browne	Hartman	Reed
Baird	Cessna	Haskell	Rees
Bowman	Darting	Holdoegel	Scott
Brookhart	Ethell	Kimberly	
Brookins	Hale	Mead	

The report of the committee was adopted and the bill indefinitely postponed.

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 538, a bill for an act to amend section one thousand fifty-six-b twenty-six (1056-b26), supplemental supplement to the code, 1915, (C. C. 4298), relating to changes in form of government by cities and towns, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

W. G. HASKELL, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 398, a bill for an act making an appropriation to reimburse Jones county, Iowa, on prison breach cases tried between the dates of December 3, 1920, and October 2, 1922, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 517, a bill for an act to provide for appropriate care and designation of the grave of William Alexander Scott and providing an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 333, a bill for an act to make an appropriation in favor of certain independent school districts that during the school year 1921-1922 maintained day schools for deaf children, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 441, a bill for an act to amend chapter three hun-

dred one (301), acts of the Thirty-ninth (39th) General Assembly, relating to public health, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 5, a bill for an act relating to publication of Session Laws, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking out the period (.) at the end of section six (6) and adding the words "but in no case at less than cost."

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Senator Baird submitted the following report:

MR. PRESIDENT: Your committee on claims to which was referred Senate File No. 463, a bill for an act appropriating \$2,000 (two thousand dollars) to indemnify Roy Rogers for injuries received when accidentally shot while acting as deputy game warden and assisting the Sheriff of Lyon county, Iowa, in arresting certain violators of the state fish and game laws, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

W. S. BAIRD, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on claims to which was referred Senate File No. 331, a bill for an act to make appropriation for the payment of certain National Guard expenses, begs leave to report it has had the same under consideration and recommends that after being referred to the committee on appropriations the same do pass.

W. S. BAIRD, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on claims to which was referred Senate File No. 395, a bill for an act to make an appropriation for the purpose of indemnifying John Young and Retta Young for damages sustained by them by reason of the death of their son, Merle J. Young, who was killed in the line of service while on duty with the Iowa National Guards, begs leave to report it has had the same under consideration and recommends that after being referred to the committee on appropriations, the same be amended as follows, and when so amended the bill do pass:

Amend by striking out the words and figures seventy-five hundred dollars (\$7500.00) appearing in lines one and two, section one, and inserting in lieu thereof the words and figures three thousand dollars (\$3000.00).

W. S. BAIRD, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on claims to which was referred Senate File No. 423, a bill for an act to compensate one Ross Seward for injuries received while an inmate of the state penitentiary at Fort Madison, begs leave to report it has had the same under consideration and recommends that after being referred to the committee on appropriations the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the words and figures thirty-five hundred dollars (\$3500.00) in line two, section one, and inserting in lieu thereof the words and figures two thousand dollars (\$2000.00).

W. S. BAIRD, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on claims to which was referred Senate File No. 566, a bill for an act appropriating the sum of three hundred twenty-six dollars and ninety-five cents (\$326.95) to reimburse George W. Metcalf, editor of the Lansing Mirror, for printing done by Mr. Metcalf on order of the motor transport committee, of the state council of defense, begs leave to report it has had the same under consideration and recommends that after being referred to the committee on appropriations the same do pass.

W. S. BAIRD, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on claims to which was referred Senate File No. 362, a bill for an act to compensate Second Lieutenant Charles R. Messett for injuries received in line of duty; and making an appropriation to pay such compensation, begs leave to report it has had the same under consideration and recommends that after being referred to the committee on appropriations the same do pass.

W. S. BAIRD, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Senator Cessna, from the committee on departmental affairs, submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to whom was referred Senate File No. 565, a bill for an act to repeal chapter one hundred thirty-four (134), acts of the Thirty-sixth (36) General Assembly (S. C. C. title XII, chap. 22), relating to the certification and examination of public accountants, beg leave to report they have had the same under consideration and recommend the same do pass.

T. C. CESSNA, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on departmental affairs to whom was referred House File No. 58, a bill for an act to repeal sections twelve hundred fourteen (1214) to twelve hundred twenty-eight (1228) of the compiled code of Iowa relating to the practice of professional engineering and land surveying, beg leave to report they have had the same under consideration and recommend the same do pass.

T. C. CESSNA, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on departmental affairs to whom was referred Senate File No. 523, a bill for an act repealing section twenty-six hundred eighty-two-y (2682-y) supplement to the code, 1913, (C. C. sec. 2338) and providing a substitute therefor relating to the disposition of the funds in possession of the finance committee of the state board of education, beg leave to report they have had the same under consideration and recommend the same do pass.

T. C. CESSNA, *Chairman*.

Ordered passed on file.

The report of the committee on conservation recommending indefinite postponement of Senate File No. 508 was adopted and the bill indefinitely postponed.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 594.

Senator Gilchrist withdrew his amendment.

The amendment offered by Senator Newberry was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by inserting after the word "appoint" in line 6 of section 1 a comma and the following: "with the consent of two-thirds of the members of the Senate in executive session."

Senator Price invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 23.

Baird	Fulton	Mantz	Shane
Banta	Hale	Mead	Smith
Bergman	Haskell	Newberry	Stoddard
Buser	Holdoegel	Olson	White
Caldwell	Horchem	Perkins	Wichman
Dutcher	McIntosh	Shaft	

Nays, 16.

Adams	Gilchrist	Price	Slosson
Brookins	Goodwin	Rees	Snook
Campbell	Johnston	Romkey	Thurston
Cessna	Nelson	Shinn	Tuck

Absent or not voting, 10.

Abben	Browne	Hartman	Reed
Bowman	Darting	Kimberly	Scott
Brookhart	Ethell		

The amendment was adopted.

Senator Thurston offered the following amendment and moved its adoption:

Amend by adding the following:

"Sec. 5. All laws or parts of laws in conflict herewith are hereby repealed."

The amendment was adopted.

Senator Johnston offered the following amendment and moved its adoption:

Amend section 3 by striking out the comma (,) at the end of line 33 and inserting in lieu thereof a period (.).

Also amend by striking out all of lines 34, 35, 36, 37 and 38 and the words "of such fair, except that" in line 39 of said section and by beginning the following sentence with a capital letter.

The amendment was lost.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking from line 25 of section 3 the following: "to place upon" and inserting in lieu thereof the following: "to vest in".

The amendment was adopted.

Senator Banta offered the following amendment and moved its adoption:

Amend Senate File No. 594 by striking out all after the enacting clause and substituting in lieu therefor the following:

Section 1. There is hereby created a department of agriculture, to

be under the supervision, control and management of the commissioner of agriculture.

Sec. 2. The commissioner of agriculture shall be appointed by the Governor and approved by a two-thirds vote of the Senate. He shall hold office for a term of four years and shall receive an annual salary of \$4,000. He shall, before entering upon the duties of his office, take and subscribe to the oath required of state officials and give bond for the faithful performance of his duties in the sum of \$5,000.

Sec. 3. It is hereby made the duty of the department of agriculture to associate itself with all interests affecting the industry of agriculture within the state of Iowa; to encourage and promote the development of agricultural industries; to investigate marketing conditions; to assist farmers, producers and consumers in the organization and management of co-operative enterprises and a co-operative marketing of farm products; to undertake the collection and dissemination of statistical data having to do with and affecting the production, the cost of production and the marketing of farm products; to assist with and assume responsibility for the execution of policies of voluntary agricultural societies and associations state wide in scope; to co-operate with the United States Department of Agriculture and the Iowa State College of Agriculture and Mechanic Arts in the dissemination of information of an educational character through publications and extension facilities of any kind whatever.

Sec. 4. For the increased efficiency in the performance of the above designated duties there are hereby created, within the state department of agriculture, the following sub-departments:

1. The sub-department of statistics which shall comprise the duties now performed by the weather and crop service department of the state of Iowa, and in addition thereto such work in the nature of agricultural economics now undertaken at the State College of Agriculture, together with such special studies and investigations as the policies of the administration of this department shall require.

2. The sub-department of agricultural promotion which sub-department shall co-operate with the existing state horticultural association, corn and small grain producers association, beef cattle producers association, state dairy association and state draft horse breeders association and such other voluntary organizations of a like nature which may be formed from time to time. The commissioner of agriculture shall be ex-officio member of the board of directors and of the executive committee of each of said such associations and he shall employ competent assistants who shall be the field agents and representatives of these associations to such an extent as, in his judgment, the welfare of the industry may warrant.

3. The sub-department of educational extension, which sub-department shall assume the duties now performed by the state college of agriculture, under the appropriations provided to it for the work of agriculture and home economics extension. For the purpose of this sub-department, the commissioner of agriculture shall work in close co-operation with the state college of agriculture and his assistant in charge of

this sub-department may be a member of the faculty of the said state college with his residence and principal office located at the seat of said college.

In the conduct of this sub-department, the commissioner of agriculture is authorized to cause to be published a bulletin, at such periods as he deems advisable, setting forth information regarding market conditions, trade and finance of special significance to agriculture and bearing upon the welfare of those engaged therein.

Sec. 5. The commissioner of agriculture is hereby authorized to employ such assistants as he may require for the carrying out of the work herein outlined for his department. He is authorized to name one of the assistants in each of the sub-departments named in the preceding section as first assistant and head of such sub-department.

Sec. 6. The commissioner of agriculture shall be provided with suitable office and equipment at the seat of government.

Sec. 7. It is the intent and purpose of this act to place upon the department of agriculture as organized hereunder the duty and authority to eliminate duplication of efforts and expense in the several departments collected under this department and centralize the activities of said several departments. All acts and parts of acts now existing and in conflict with the provisions of this act are hereby repealed or made subject to such construction as will be consistent with the intent and purpose herein expressed.

Senator Banta moved that the Senate adjourn until 9 a. m. Wednesday, which motion was lost.

Senator Brookhart raised the point of order that Senator Banta's remarks were not confined to the subject.

The President held the point not well taken.

INTRODUCTION OF BILLS

Senate File No. 604, by Senator Holdoegel, a bill for an act relating to the power and duties of counties and county officers; providing for the funding and refunding of indebtedness incurred prior to January 1st, 1924.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 605, by Senator Kimberly, a bill for an act to amend the law as it appears in section one thousand five hundred thirty-two (1532) of the supplement to the code, 1913, as amended by chapter four hundred twenty-one (421) acts of the Thirty-seventh General Assembly (C. C. 2861) relating to road districts adjoining state lands.

Read first and second times and referred to committee on highways.

Senate File No. 606, by committee on suppression of intemperance, a bill for an act to amend section two thousand four hundred sixty-one-a (2461-a) of the supplemental supplement to the code of Iowa, 1915, (C. C. 1019), relating to the sale of intoxicating liquors.

Read first and second times and ordered placed on calendar.

Senate File No. 607, by Senator Goodwin, a bill for an act to amend section seventeen hundred forty-two-a (1742-a) (C. C. 5658) supplement to the code, 1913; and section seventeen hundred forty-four (1744) (C. C. 5660) of the code as amended by section five (5), chapter three hundred forty-eight (348), acts of the 38th General Assembly, relating to insurance other than life.

Read first and second times and referred to committee on insurance.

Senate File No. 608, by Senator Goodwin, a bill for an act repealing section eleven hundred thirty-two (1132) of the code (C. C. 468) relating to elections, and enacting a substitute therefor.

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

Senate File No. 609, by Senator Goodwin, a bill for an act to amend section eleven hundred forty-five (1145) (C. C. 473) of the code relating to the canvass of elections.

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

Senate File No. 610, by Senator Dutcher, a bill for an act to amend sections seventy-one hundred fifty-nine (7159), seventy-one hundred sixty (7160), seventy-one hundred sixty-two (7162), seventy-one hundred ninety-eight (7198) and seventy-four hundred fifty-one (7451) of the compiled code, relating to civil practice and procedure.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 611, by Senator Stoddard, a bill for an act authorizing the board of supervisors to transfer unexpended balances from bond issues to the general fund of the county.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 612, by Senator Fulton, a bill for an act to provide

for the organization and incorporation of credit unions, defining their powers and placing them under the control of the banking department.

Read first and second times and referred to committee on banks.

HOUSE MESSAGES CONSIDERED

House File No. 290, a bill for an act to amend section nineteen hundred eighty-nine-a2 (1989-a2) supplement to the code, 1913, (C. C. 4837) relative to drainage.

Read first and second times and referred to committee on drainage.

House File No. 424, a bill for an act to amend and revise section two hundred fifty-four-a20 (254-a20), supplement to the code, 1913, as amended by chapter one hundred seven (107), acts of the Thirty-eighth (38) General Assembly, chapter fifty-one (51) acts of the Thirty-ninth (39) General Assembly, and chapter two hundred fifty-two (252), acts of the Thirty-ninth General Assembly, (S. C. C. sec. 2104), relating to financial aid to widowed mothers of dependent or neglected children.

Read first and second times and referred to committee on county and township affairs.

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 277 as follows:

By inserting following the word "sections" in line three (3) of the title the figures "2921, 2922"; also by inserting immediately following the colon (:) in line three (3) of section one (1) of the bill as published the following:

"By changing the word "seventy-five" where it appears in line five (5) of section thirteen (13) (C. C. section 2921) to the word "ninety"; also, by changing the word "twenty-five" where it appears in line twenty-one (21) of section fourteen (14) (C. C. section 2922) to the word "ten"; also, by striking from line two (2) of section seventeen (17) the words "one-fourth" and inserting in lieu thereof the words "one-tenth"; also, by striking from line ten (10) of section eighteen (18) the word "four" and inserting in lieu thereof the word "two"; also,".

J. D. BUSER.

AMENDMENTS TO SENATE FILE NO. 594 FILED

MR. PRESIDENT: I move to amend Senate File No. 594 by striking out the word "elected" in line 3 of section 1 and inserting in lieu thereof the

following: "approved by the Governor with the consent of two-thirds of the Senate in executive session."

B. M. STODDARD.

MR. PRESIDENT: I move to amend Senate File No. 594 by striking out the word "elected" in line 3 of section 1 and inserting in lieu thereof the word "appointed".

J. O. SHAFF.

MR. PRESIDENT: I move to amend Senate File No. 594 by striking out of section 3 the words "State Agricultural College" and inserting in lieu thereof the words "Iowa State College of Agriculture and Mechanic Arts"; and by striking out of lines 30 and 31 the words "Iowa State Agricultural College" and substituting in lieu thereof the words "Iowa State College of Agriculture and Mechanic Arts."

J. O. SHAFF.

The Journal of March 12th was corrected and approved.

On motion of Senator Cessna the Senate adjourned until 9:30 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 14, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. Archibald W. Sinden, pastor of the Congregational church, of Reinbeck, Iowa.

On motion of Senator Ethell rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

Senator McIntosh presented a petition from citizens of Marshalltown endorsing Senate File 299 and House File 310. Referred to committee on elections.

Senator Kimberly presented a petition from the Modern Brotherhood of America, Davenport, endorsing House File 544, relative to fraternal beneficiary societies.

The following petitions from Modern Woodmen of America protesting House File 544 relative to fraternal beneficiary societies were presented and referred to committee on insurance:

By Senator Newberry from Camp 319, Elkader. By Senator Brookhart from Camp 868, Washington. By Senator Holdoegel from camps at Badger and Lake City. By Senator Stoddard from Camp 4034, Hornick. By Senator McIntosh from Camp 3782, Tingley. By Senator Wichman from Camp 577, Britt. By Senator Rees from Camp 344, Clarinda. By Senator Bergman from camps at Baxter and Newton. By Senator Hartman from camps at Waucoma, Clermont, and New Albin. By Senator Gilchrist from Buena Vista, Laurens, and Storm Lake camps. By Senator Cessna from Richland, South English, and What Cheer camps.

Petitions from the Brotherhood of American Yoemen endorsing House File 544 were presented:

By Senator Hartman from Homestead No. 90, Oelwein. By Senator Gilchrist from Homestead No. 361, Storm Lake. By

Senator Rees from Homestead No. 1134, Hamburg. By Senator Slosson from Homesteads 305 and 5, Manly and Buffalo Center. By Senator Wichman from Homesteads 1084 and 10, Goodell and Corwith. All were referred to committee on insurance.

INTRODUCTION OF BILLS

Senate File No. 613, by Senator Mantz, a bill for an act to repeal sections seven (7) and eight (8), chapter fourteen (14), acts of the Thirty-ninth General Assembly and enacting substitutes therefor relating to vocational education.

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

Senate File No. 614, by Senator Mantz, a bill for an act to amend section one (1), of chapter two hundred and ninety-six (296), acts of the Thirty-ninth General Assembly and section two (2), of chapter two hundred and ninety-six (296), of the Thirty-ninth General Assembly relating to the appropriation of State funds to meet the Federal appropriation aiding vocational education.

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

Senate File No. 615, by Senator Buser, a bill for an act to amend section six (6) of chapter three hundred ninety-two (392) acts of the Thirty-eighth General Assembly (C. C. 1219) relating to the board of engineering examiners.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 616, by Senator Abben, a bill for an act to amend section seventeen hundred thirty-one (1731) (C. C. 5646) of the code of Iowa, relating to the examination, dissolution and appointment of a receiver for insurance companies organized as stock companies other than life.

Read first and second times and referred to committee on insurance.

Senate File No. 617, by Senator Mead, a bill for an act to amend section two thousand five hundred forty (2540), supplemental supplement to the code 1915, (C. C. 1107), relating to the protection of bass.

Read first and second times and 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. 522, a bill for an act to authorize the state highway commission or boards of supervisors to order the removal of billboards and signs which obstruct the view of the public highways in such manner as to render the use of such highways dangerous, and to provide penalties for violations of the provisions of the act.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 476, a bill for an act to amend section ten hundred eighty (1080), of the code, (C. C. sec. 414), relating to election registration lists.

Also, 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 to amend section nine hundred seventy (970) of the code (C. C. 4385), relating to road districts in cities under special charter.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 705, a bill for an act to legalize the filing of nomination papers of candidates for city and town offices in the cities and towns of Iowa to be voted at the city and town elections on March 26, 1923.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 304, a bill for an act to amend sections twenty-five sixty-three-a3 (2563-a3), twenty-five sixty-three-a7 (2563-a7), twenty-five sixty-three-a9 (2563-a9) of the supplement to the code of 1913; twenty-five sixty-three-a4 (2563-a4) of the supplemental supplement to the code of 1915 (C. C. sec. 1142-1143-1146-1148), relating to the issuance of hunting licenses.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 292, a bill for an act to legalize an election in the consolidated independent school district of Milford township, in the county of Story, state of Iowa, on the proposition of issuing bonds and to legalize all acts and proceedings of the board of directors in respect of the issuance and sale of said bonds.

Also, 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 chapter two hundred sixteen (216) (C. C. sec. 6837), acts of the Thirty-eighth General Assembly, relating to fees of justices of the peace and constables.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 337, a bill for an act to amend, revise and codify the law as it appears in section fifteen hundred twenty-seven-r two (1527-r2) supplemental supplement of the code of 1915 (C. C. sec. 2829), in relation to the establishment of roads, and to enact a substitute therefor.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 319, a bill for an act to amend chapter fourteen (14), title five (5) of the code, relating to the powers of cities under special charters; and providing for the appointment of trustees in cities acting under special charters, having a population of less than thirty-five thousand and owning their own heating plant, gas works, or electric light or electric power plants; providing for the duties of such trustees, and fixing their compensation.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 496, a bill for an act to amend section two (2), chapter three hundred thirty-five (335) of the acts of the 38th General Assembly, compiled code five thousand seven hundred fifty-four (C. C. 5754), relating to the fees for examining banks.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 466, a bill for an act to legalize a special election held in the city of Maquoketa, Jackson county, Iowa, on the 26th day of April, 1922, whereat there was submitted to the voters of said city the proposition of constructing and directing extensions to the municipal electric light and power system by extending the distribution system and installing additional power station equipment, and the proposition of issuing bonds of said city in the sum of seventy thousand dollars (\$70,000.00) to procure the necessary funds to defray the cost of constructing and erecting said extension and the municipal electric light and power system within said city.

Also, that the House concurs in Senate amendment to House File 269, a bill for an act to repeal section four (4), chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly (38th General Assembly), as amended by chapter twenty (20), acts of the Thirty-ninth General Assembly, and enact a substitute therefor, and to amend section six (6) of said chapter as amended by chapter twenty (20), acts of the Thirty-ninth General Assembly, relating to the construction, improvement and maintenance of highways.

Also, that the Speaker has appointed as members of the conference committee on the part of the House on House File 224, a bill for an act to amend chapter four (4) of title twenty-eight (28) of the compiled code of Iowa, relating to judges and courts, and rules for conciliation of certain controversies—Representatives Doolittle, Garber of Adair, Storey and Gilbert.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 355, a bill for an act to make an appropriation in favor of certain independent school districts that during the school years 1921-1922 maintained day schools for deaf children.

Also, that the House requests the return of Senate File 271, a bill

for an act to define the crime of murder in the case of death resulting from the consuming of intoxicating liquor.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Caldwell moved that the Senate comply with the request of the House and return to them Senate File No. 271, which motion prevailed.

On motion of Senator Horchem House File No. 355 was substituted for Senate File No. 333.

HOUSE MESSAGES CONSIDERED

House File No. 516, a bill for an act to amend section nine hundred seventy (970) of the code (C. C. 4385), relating to road districts in cities under special charter.

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

House File No. 355, a bill for an act to make an appropriation in favor of certain independent school districts that during the school year 1921-1922 maintained day schools for deaf children.

Read first and second times and ordered placed on the calendar.

House File No. 304, a bill for an act to amend sections twenty-five sixty-three a-7 (2563 a-7); twenty-five sixty-three a-9 (2563 a-9) of the supplement to the code of 1913; twenty-five sixty-three a-4 (2563 a-4) of the supplemental supplement to the code 1915 (C. C. Sec. 1142-1143-1146-1148) relating to the issuance of hunting licenses.

Read first and second times and referred to committee on fish and game.

House File No. 419, a bill for an act to amend chapter two hundred sixteen (216) (C. C. Sec. 6837) acts of the Thirty-eighth General Assembly, relating to fees of Justices of the Peace and Constables.

Read first and second times and referred to committee on county and township affairs.

House File No. 476, a bill for an act to amend section ten hundred eighty (1080), of the code, (C. C. Sec. 414), relating to election registration lists.

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

House File No. 292, a bill for an act to legalize an election in the

consolidated Independent School District of Milford Township, in the county of Story, State of Iowa on the proposition of issuing bonds and to legalize all acts and proceedings of the board of directors in respect of the issuance and sale of said bonds.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 522, a bill for an act to authorize the state highway commission or boards of supervisors to order the removal of billboards and signs which obstruct the view of the public highways in such a manner as to render the use of such highways dangerous, and to provide penalties for violations of the provisions of the acts.

Read first and second times and referred to committee on highways.

Senator Hale having withdrawn from the conference committee on Senate File No. 225 the President appointed Senator Horchem in his place.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 594.

Senator Banta asked for a roll call on his amendment.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 8.

Banta	Gilchrist	Mead	Rees
Buser	Horchem	Olson	Scott

Nays, 32.

Abben	Darting	McIntosh	Slosson
Bergman	Ethell	Mantz	Smith
Bowman	Fulton	Nelson	Snook
Brookhart	Goodwin	Perkins	Stoddard
Brookins	Hale	Price	Thurston
Browne	Hartman	Romkey	Tuck
Caldwell	Johnston	Shane	White
Cessna	Kimberly	Shinn	Wichman

Absent or not voting, 9.

Adams	Dutcher	Newberry	Shaft
Baird	Haskell	Reed	
Campbell	Holdoegel		

The amendment was lost.

Senator Cessna moved that Senate File No. 594 with pending amendments be rereferred to the committee on departmental affairs. which motion prevailed.

On motion of Senator Mantz, Senate File No. 397, a bill for an act amending section seventeen hundred and nine (1709) supplement to the code 1913, (C. C. 5627), relating to insurance other than life, was taken up and considered, the report of the committee having been previously adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Fulton	McIntosh	Shaff
Adams	Gilchrist	Mantz	Shane
Banta	Goodwin	Mead	Slosson
Bergman	Hale	Nelson	Snook
Bowman	Hartman	Newberry	Stoddard
Brookins	Haskell	Perkins	Tuck
Browne	Holdoegel	Price	Wichman
Caldwell	Horchem	Rees	
Darting	Johnston	Scott	

Nays, 4.

Buser	Olson	Smith	White
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Absent or not voting, 11.

Baird	Cessna	Kimberly	Shinn
Brookhart	Dutcher	Reed	Thurston
Campbell	Ethell	Romkey	

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

Senator Mantz moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Smith, Senate File No. 373, a bill for an act to repeal chapter thirty-seven (37) of the acts of the Thirty-ninth General Assembly (C. C. Sup. Chap. 12-a, title XIII) relating to the maintenance and employment of a band for musical purposes, was taken up and considered, the report of the committee for indefinite postponement having previously been rejected.

Senator Smith offered the following amendment and moved its adoption:

Amend by striking out line 2 of section 2 and inserting in lieu thereof the following: "of taxes made in the years 1921, 1922 and 1923".

The amendment was adopted.

Further consideration was deferred.

COMMITTEE FROM THE HOUSE

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 under direction of the sergeant-at-arms.

JOINT CONVENTION

As per concurrent resolution duly adopted, the joint session was called to order, Honorable John Hammill, President of the Senate, presiding.

President Hammill declared a quorum present and the joint convention duly organized.

Venard of Sioux moved that a committee of three be appointed to notify the Honorable Henry C. Wallace, Secretary of Agriculture, that the joint session was ready to receive him. Motion prevailed and the President appointed the following as members of such committee: Representatives Venard of Sioux and Hauge of Polk on the part of the House, and Senator Nelson of Cass on the part of the Senate.

The committee appointed to notify the Honorable Henry C. Wallace that the joint session was ready to receive him appeared with Mr. Wallace and Governor Kendall and escorted them to the Speaker's station.

Lieutenant-governor Hammill then presented Mr. Wallace, who addressed the joint convention.

Hansen of Scott moved that the joint session be now dissolved. Motion prevailed.

Senate returned to Senate chamber and resumed session.

On motion of Senator Smith, the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Reed for the day, on request of Senator Tuck.

HOUSE MESSAGE CONSIDERED

House File No. 705, a bill for an act to legalize the filing of nomination papers of candidates for city and town offices in the cities and towns of Iowa to be voted at the city and town elections on March 26th, 1923.

Read first and second time.

THIRD READING OF BILLS

On motion of Senator Rees House File No. 705, a bill for an act to legalize the filing of nomination papers of candidates for city and town offices in the cities and towns of Iowa to be voted at the city and town elections on March 26th, 1923, was taken up and considered.

On motion of Senator Rees the rule whereby no bill may be read a second and third time the same day was suspended; also, the rule requiring reference to a committee, was suspended.

The bill was read for information.

Senator Rees moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Abben	Dutcher	Horchem	Romkey
Baird	Ethell	Johnston	Shane
Banta	Fulton	Kimberly	Shinn
Browne	Gilchrist	McIntosh	Slosson
Buser	Hale	Newberry	Smith
Caldwell	Hartman	Perkins	Snook
Campbell	Haskell	Price	Stoddard
Cessna	Holdoegel	Rees	White
			Wichman

Nays, none.

Absent or not voting, 16.

Adams	Brookins	Mead	Scott
Bergman	Darting	Nelson	Shaff
Bowman	Goodwin	Olson	Thurston
Brookhart	Mantz	Reed	Tuck

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

On motion of Senator Shane, Senate File No. 569, a bill for an act to amend section 2596-b of the supplement to the code, 1913 relating to the penalty for the sale of certain drugs, a committee bill, was taken up and considered.

Senator Shane offered the following amendments to his amendment, found on page 735 of the Senate Journal, and moved their adoption:

Amend by inserting after the word "pharmaceuticals" in line 14 the following: "the said wholesalers and manufacturers being".

Also amend by striking out the word "five" in line 7 of section 2 and inserting in lieu thereof the word "ten", and substituting a comma (,) for the period (.) after the word "years" in the same line and adding the following: "or a fine not to exceed \$1000.00, or by both such fine and imprisonment".

Also amend by inserting after the word "know" in line 17 of section 3 the words "and that by the exercise of due diligence he could not have known".

Also amend by striking out all after the word "purpose" in line 18 of section 3.

Also amend by striking out all after the word "cocaine" in line 16 of section 4 and substituting a period (.) for the comma (,) after the word "cocaine".

The amendments to the amendment were adopted.

Senator Shane offered the following amendment and moved its adoption:

Amend by adding the following as section 11:

"Sec. 11. All acts or parts of acts in conflict with this act are hereby repealed."

The amendment was adopted.

The Senate resumed consideration of Senate File No. 373.

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

Senator Smith invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 18.

Bergman
Buser
Campbell
Cessna
Dutcher

Ethell
Fulton
Goodwin
Hale
Hartman

Johnston
Mead
Nelson
Olson
Price

Shinn
Smith
Tuck

Nays, 29.

Abben	Caldwell	Mantz	Shane
Adams	Darting	Newberry	Slosson
Baird	Gilchrist	Perkins	Snook
Banta	Haskell	Rees	Thurston
Bowman	Holdoegel	Romkey	White
Brookhart	Horchem	Scott	Wichman
Brookins	Kimberly	Shaff	
Browne	McIntosh		

Absent or not voting, 2.

Reed Stoddard

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Shane moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

The Senate resumed consideration of Senate File No. 569.

Senator Shane offered the following amendment and moved its adoption:

Amend by substituting a period (.) for the semi-colon (;) in line 31 of section 1 and striking out all of lines 32, 33 and 34 of section 1.

The amendment was adopted.

Senator Shane's amendment as amended was adopted.

The bill was read for information.

Senator Shane moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Buser	Holdoegel	Scott
Adams	Caldwell	Johnston	Shaff
Baird	Campbell	Kimberly	Shane
Banta	Ethel	McIntosh	Shinn
Bergman	Fulton	Mead	Slosson
Bowman	Gilchrist	Nelson	Snook
Brookhart	Hale	Newberry	Thurston
Brookins	Hartman	Olson	Tuck
Browne	Haskell	Price	White
			Wichman

Nays, none.

Absent or not voting, 12.

Cessna	Goodwin	Perkins	Romkey
Darting	Horchem	Reed	Smith
Dutcher	Mantz	Rees	Stoddard

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

Senator Shane offered the following amendment to the title and moved its adoption:

Amend by striking out all of the title and substituting therefor the following:

An act to regulate the sale, possession and use of narcotic drugs, declaring places where such drugs are possessed, sold or used unlawfully to be nuisances and subject to injunction and abatement as such; providing for search warrants and the disposition of drugs seized; providing penalties for the violation of all acts prohibited; and providing that all provisions shall be construed as mandatory and to prevent evasion; and repealing all acts or parts of acts in conflict with this act.

The amendment was adopted and the title as amended was agreed to.

REPORT ON SENATE FILE NO. 266 CONSIDERED

The committee report for indefinite postponement on Senate File No. 266 was taken up and considered.

Senator Buser raised the point of order that Senator Campbell should close the debate as chairman of the committee instead of Senator Bowman.

The point of order was sustained.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 18.

Abben	Dutcher	Holdoegel	Smith
Adams	Ethell	Horchem	Thurston
Bergman	Hale	Scott	Tuck
Buser	Hartman	Shaff	Wichman
Campbell	Haskell		

Nays, 25.

Baird	Fulton	Nelson	Shane
Bowman	Gilchrist	Newberry	Shinn
Brookhart	Goodwin	Olson	Slosson
Brookins	Johnston	Price	Snook
Browne	McIntosh	Rees	White
Caldwell	Mantz	Romkey	
Darting	Mead		

Absent or not voting, 6.

Banta	Kimberly	Reed	Stoddard
Cessna	Perkins		

The report was rejected and the bill placed on the calendar.

HOUSE AMENDMENTS CONSIDERED

Senator Browne called up for consideration Senate File No. 466, amended by the House, and moved that the Senate concur in the following amendments:

Amend the title by striking from line five (5) thereof the word "directing", inserting in lieu thereof the word "erecting". Further amend by striking from line eleven (11) the word "and" as it appears near the end of said line and inserting in lieu thereof the word "to".

On the question "Shall the Senate concur?" the vote was:

Ayes, 40.

Abben	Darting	McIntosh	Scott
Adams	Ethell	Mantz	Shaff
Baird	Gilchrist	Mead	Shane
Bergman	Goodwin	Nelson	Shinn
Brookhart	Hale	Newberry	Slosson
Brookins	Hartman	Olson	Snook
Browne	Haskell	Perkins	Thurston
Buser	Holdoegel	Price	Tuck
Caldwell	Horchem	Rees	White
Campbell	Kimberly	Romkey	Wichman

Nays, none.

Absent or not voting, 9.

Banta	Dutcher	Johnston	Smith
Bowman	Fulton	Reed	Stoddard
Cessna			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: We, your committee, selected to confer on the matter of the Senate refusing to concur in the amendment to code revision bill, Senate File No. 225, beg leave to report that after going over the matter in a conscientious manner, we recommend that the Senate concur in the House committee amendment which reads:

Amend section two (2) by striking out of line three (3) thereof the word "and" and substituting in lieu thereof the word "or".

We further recommend that sub-section twenty-eight (28) of section four (4) of code revision bill Senate File No. 225, be amended by striking out sub-section twenty-eight (28) and substituting in lieu thereof the following:

For issuing a marriage license, the fee shall be seven dollars (\$7.00), two dollars (\$2.00) of which shall remain in the office of the clerk of the court, and five dollars (\$5.00) shall be set aside and credited to the

fund out of which is paid the widows' pension and the allowance for dependent and indigent children.

J. P. GALLAGHER, *Chairman*.

H. A. DARTING,

JNO. F. JOHNSTON,

B. J. HORCHEM.

G. G. HARTMAN,

E. A. GRIMWOOD,

JOHN OLSON,

WM. L. LONG.

Senator Romkey moved that the report of the conference committee be adopted.

On the question "Shall the report of the conference committee be adopted?" the vote was:

Ayes, 6.

Adams
Campbell

Darting
Hale

Hartman

Johnston

Nays, 36.

Abben
Baird
Banta
Bergman
Bowman
Brookhart
Brookins
Browne
Buser

Caldwell
Cessna
Dutcher
Ethell
Fulton
Gilchrist
Goodwin
Haskell
Holdoegel

Horchem
Kimberly
McIntosh
Mantz
Nelson
Newberry
Olson
Perkins
Price

Shaff
Shane
Shinn
Slosson
Snook
Thurston
Tuck
White
Wichman

Absent or not voting, 7.

Mead
Reed

Rees
Romkey

Scott
Smith

Stoddard

The Senate refused to adopt the report of the conference committee.

Senator Gilchrist moved that another conference committee be appointed, which motion prevailed, and the President appointed as such committee on the part of the Senate, Senators Gilchrist, Dutcher, Slosson and Abben.

By unanimous consent on request of Senator Olson Senate File No. 270 was made a special order for Thursday, March 15th, at 10 a. m.

INTRODUCTION OF BILLS

Senate File No. 618, by Senator Haskell, a bill for an act conferring additional powers on certain cities organized under chap-

ter forty-eight (48) of the acts of the Thirty-second General Assembly of Iowa, and amendments thereto (C. C. title XIII, chapt. 39), and providing for the acquisition by purchase or condemnation of land along and adjacent to meandered streams, and the improvement of land so acquired, and authorizing the issuance of bonds in payment of the cost of acquiring and improving same, and the levy of a tax for the improvement of said land and the payment of said bonds and the interest thereon.

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

Senate File No. 619, by Senator McIntosh, a bill for an act to repeal sub-division twenty-five (25) of section four hundred twenty-two (422) supplemental supplement to the code 1915 (C. C. sec. 3130) and to provide for boards of supervisors to contract with free public libraries and to establish county libraries.

Read first and second times and referred to committee on public libraries.

Senate File No. 620, by Senator Slosson, a bill for an act amending the law as it appears in section twenty-three (23), chapter two hundred seventy-five (275), acts of the Thirty-eighth (38) General Assembly as amended in section fifteen (15) of chapter one hundred fifty-nine (159) of the acts of the Thirty-ninth (39) General Assembly, relating to the licensing and regulation of motor vehicles.

Read first and second times and referred to committee on motor vehicles.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 265, 286 and 309, and House Files Nos. 56, 248, 357 and 380.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files Nos. 309, 286 and 265,

REPORT OF SPECIAL COMMITTEE

To the Senate:

In reporting upon the tuition charged by different educational institutions it seems advisable to state that for convenience it here includes the incidental fees collected from all students. Laboratory and other special fees, because of their wide divergence and because they are intended to cover only actual costs are not included.

University of Iowa:	Tuition
Graduate College	\$15.00
College of Liberal Arts	55.00
College of Education	55.00
College of Applied Science.....	55.00
College of Commerce	80.00
College of Law	100.00
College of Medicine:	
Residents	100.00
Non-residents	150.00
College of Dentistry:	
Residents	165.00-175.00
Non-residents	240.00-250.00
College of Pharmacy	80.00

Attention is called to a provision for free tuition in the College of Liberal Arts and to the honor scholarships of that college.

Tuition is remitted to worthy students who present affidavits signed by three county officers to the effect they are entitled to such relief. This relief was granted to 326 students in the first semester of 1921-1922 and to 318 in the second semester. There is no limitation on this provision.

The honor scholarships are offered each year to anyone of the three students having the highest grades in the graduating class of every high school and secondary school meeting certain requirements. It remits tuition for four years. These scholarships were taken advantage of by 295 students in the first semester of 1921-1922, and by 171 in the second semester. As there are now 872 schools whose students are recognized as eligible to these scholarships it is possible under these alone to have 3,488 students in the College of Liberal Arts receiving free tuition at one time.

College of Agriculture and Mechanic Arts—

All Departments:	Tuition
Residents .....	.....
Non-residents	\$51.00

The honor scholarships referred to under "University of Iowa" may be used in this college in which they cancel \$40.00 in fees in each case. There were 184 students last year receiving these scholarships.

Iowa State Teachers College—

All Departments:	Tuition
Residents	\$15.00
Non-residents	15.00

The honor scholarships referred to under "University of Iowa" may also be used in this college cancelling the tuition in each case for four years. There are now 164 students entered under these scholarships.

Each county superintendent of schools in the state is authorized to appoint two men each year to receive free tuition. Under this provision there are 68 students now entered.

University of Illinois—

College in general:	Tuition
Residents	\$50.00
Non-residents	75.00
College of Law:	
Residents	75.00
Non-residents	112.50
College of Pharmacy:	
Residents	62.50
Non-residents	75.00
College of Medicine:	
Residents	130.00
Non-residents	165.00
College of Dentistry:	
Residents	160.00-185.00
Non-residents	190.00-215.00

University of Wisconsin—

All Colleges:	Tuition
Residents	\$30.00
Non-residents	154.00
Normal Schools:	
Residents	24.00
Non-residents	154.00
Stout Institute:	
Residents .....	.....
Non-residents	100.00

University of Minnesota—

Graduate School:	Tuition
Residents	\$30.00
Non-residents	30.00
College of Sciences, Literature and the Arts:	
Residents	60.00
Non-residents	90.00
College of Engineering and Architecture:	
Residents	90.00
Non-residents	120.00
College of Agriculture, Forestry and Home Economics:	
Residents	60.00
Non-residents	90.00
College of Law:	
Residents	90.00
Non-residents	120.00
Medical College:	
Residents	180.00

Non-residents	210.00
College of Dentistry:	
Residents	180.00
Non-residents	210.00
College of Pharmacy:	
Residents	90.00
Non-residents	120.00
College of Education:	
Residents	60.00
Non-residents	90.00
School of Business:	
Residents	90.00
Non-residents	120.00

The State Teachers Colleges charge no tuition when a student signs a declaration of intention to teach two years in the public schools of the state. Others are charged \$30.00 tuition. Laboratory and other fees are also charged.

State University of South Dakota—	Tuition
College of Arts and Sciences	\$12.00
College of Law	50.00
College of Medicine	60.00
College of Engineering	12.00
State Normal Schools	12.00

University of Nebraska:	Tuition
All Colleges except Professional.....	\$ 10.00
College of Dentistry.....	\$50.00-100.00-150.00-170.00
College of Law.....	60.00
College of Medicine.....	125.00
College of Pharmacy.....	35.00

A bill is now pending in the legislature of Nebraska proposing that students in the normal schools pay \$150.00 tuition, that students in the graduate college pay not less than \$50.00 tuition, that students in the Colleges of Law, Medicine and Fine Arts shall pay not less than \$100.00 tuition, and that non-residents in all cases shall pay \$150.00 tuition. It further provides for promissory notes to cover said tuition payable after two years in five annual installments with interest at five per cent.

University of Missouri—	
All Departments:	Tuition
Residents	
Non-residents	\$ 20.00

University of Michigan—	
Literary College:	
Resident men.....	85.00
Resident women.....	80.00
Non-resident men.....	110.00
Non-resident women.....	105.00
Engineering College:	
Resident men.....	100.00
Resident women	95.00

Non-resident men.....	125.00
Non-resident women.....	120.00
Pharmacy College:	
Resident men.....	100.00
Resident women	95.00
Non-resident men.....	125.00
Non-resident women.....	120.00
Law College:	
Resident men.....	110.00
Resident women.....	105.00
Non-resident men.....	130.00
Non-resident women.....	125.00
Colleges of Medicine and Dentistry:	
Resident men.....	180.00
Resident women.....	175.00
Non-resident men	260.00
Non-resident women.....	255.00
Independent Colleges of Iowa—	
Buena Vista:	
Collegiate courses.....	84.00
Coe:	
Graduate courses.....	60.00
Collegiate courses.....	126.00
Cornell:	
Collegiate courses.....	142.00
Des Moines University:	
Collegiate courses.....	150.00
Engineering courses.....	180.00
Vocational courses.....	225.00
Automotive engineering.....	255.00
Drake University:	
All colleges.....	200.00
Grinnell:	
Collegiate courses.....	215.00
Iowa Wesleyan:	
Collegiate courses.....	110.00
Morningside:	
Collegiate courses.....	112.00
Parsons:	
Collegiate courses.....	135.00
Penn:	
Collegiate courses.....	120.00
Simpson:	
Collegiate courses.....	118.00
Upper Iowa University:	
Collegiate courses.....	82.50

The Independent Colleges named and some others offer an honor scholarship covering tuition for one year to the student securing the highest grade in the graduating class each year of every high school and sec-

ondary school meeting certain requirements. Several of these colleges, if not all, limit the number of these scholarships.

Respectfully submitted,

C. J. FULTON,
CHAS. M. DUTCHER,
M. L. BOWMAN.

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 299 as follows: That the title to the bill as published be amended by striking out all that part following the comma (,) following the parenthesis in line six (6) of said title and by substituting in lieu thereof the following: "relating to the per centum of votes required for the nomination of candidates for public office at primary elections".

Also, by striking out all of that part following the enacting clause and by substituting in lieu thereof the following:

"Section 1. That section ten hundred eighty-seven-a nineteen (1087-a19) of the supplement to the code, 1913, (C. C. section 380) be and the same is hereby amended by striking from line twenty-four (24) the word "thirty-five" and by substituting in lieu thereof the word "twenty-five". Also, that section ten hundred eighty-seven-a twenty-one (1087-a21) of the supplement to the code, 1913 (C. C. section 383) be and the same is hereby amended by striking from line eleven (11) the word "thirty-five" and by substituting in lieu thereof the word "twenty-five". Also that section ten hundred eighty-seven-a twenty-two (1087-a22) of the supplement to the code, 1913 (C. C. section 384) be and the same is hereby amended by striking from lines sixteen and twenty-six (16 and 26) of said section the word "thirty-five", and by substituting in lieu thereof the word "twenty-five". Also, that section ten hundred eighty-seven-a twenty-five (1087-a25) of the supplement to the code, 1913, (C. C. section 388) be and the same is hereby amended by striking from lines fifty and fifty-seven (50 and 57) the word "thirty-five" and by substituting in lieu thereof the word "twenty-five". Also, that section ten hundred eighty-seven-a twenty-six (1087-a26) of the supplement to the code, 1913 (C. C. section 389) be and the same is hereby amended by striking from lines twenty-three and thirty-four (23 and 34) the word "thirty-five" and by substituting in lieu thereof the word "twenty-five". Also, that section ten hundred eighty-seven-a twenty-seven (1087-a27) of the supplement to the code, 1913, (C. C. section 390) be and the same is hereby amended by striking from line eighteen (18) thereof the word "thirty-five" and by substituting in lieu thereof the word "twenty-five"."

J. A. MCINTOSH.

The resignation of Elizabeth Maclean as committee clerk was tendered and accepted.

The Journal of March 13th was corrected and approved.

On motion of Senator Slosson the Senate adjourned until 9 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, MARCH 15, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. Carl Brown, pastor of the Methodist Episcopal Church, Conway, Iowa.

On motion of Senator Bowman rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Gilchrist for the day, on request of Senator Price; Senator Newberry for the day, on request of Senator Buser.

PETITIONS AND MEMORIALS

Senator Brookhart presented a petition from the Iowa Federation of Women's Clubs endorsing House File No. 478 relative to maximum hours for working women. Referred to committee on labor.

Senator Price presented a petition from Albia Lodge, No. 297, Modern Brotherhood of America endorsing House File 544. Referred to committee on insurance.

Petitions from Modern Woodmen of America protesting House File No. 544 relative to fraternal beneficiary societies were presented by Senator Hartman from Camp 292, Fayette; by Senator Fulton from Camp 5909, Keosauqua; by Senator Campbell from Camps 2915, Merrill, and 964, Marcus; by Senator McIntosh from Camp 1746, Leon; by Senator Brookins from Camp 220, Charles City; by Senator Price from Camp 481, Knoxville; by Senator Stoddard from Camp 1043, Sloan; by Senator Ethell from Camp 6367, Udell. All were referred to the committee on insurance.

Petitions from the Brotherhood of American Yeomen endorsing House File No. 544 were presented by Senator Stoddard

from Homestead 241, Sioux City; by Senator Price from Homestead 454, Albia; by Senator Campbell from Homestead 257, Battle Creek; by Senator Brookhart from Homestead, 79, Clayton; by Senator Nelson, 1204, Atlantic; by Senator Hartman from Homestead 539, Waukon. All were referred to committee on insurance.

Senator Haskell presented a petition from the Modern Brotherhood of America, Lodge No. 17, Marion, endorsing House File No. 544, which was also referred to the committee on insurance.

REPORT OF COMMITTEE

Senator Fulton submitted the following report:

MR. PRESIDENT: Your committee on banks to which was referred House File No. 351, a bill for an act to amend section eighteen hundred and fifty (1850), supplement to the code, 1913, (C. C. 5776) 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, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. J. FULTON, *Chairman*.

The report was adopted and the bill indefinitely postponed.

REPORT OF COMMITTEE ON ENROLLED BILLS

Senator Banta from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports it has examined and finds correctly enrolled House File No. 705.

GEORGE S. BANTA, *Acting Chairman Senate Committee*.

C. F. LETTS, *Chairman House Committee*.

Report adopted.

INTRODUCTION OF BILLS

Senate File No. 621, by committee on banks, a bill for an act to amend section eighteen hundred seventy-three (1873) supplement to the code 1913 (C. C. 5801) relating to the publication of statement of condition of banks.

Read first and second times and ordered placed on the calendar.

Senate File No. 622, by committee on banks, a bill for an act to amend section eighteen hundred fifty-a (1850-a) supplement to the code, 1913, (C. C. 5777), relating to the surplus fund of savings banks; and to amend section eighteen hundred eighty-nine-l (1889-l)

supplement to the code, 1913, (C. C. 5831), relating to the surplus fund of banks and trust companies acting in fiduciary capacity; and to require all state banks to create a surplus fund.

Read first and second times and ordered placed on the calendar.

Senate File No. 623, by Senator Johnston, a bill for an act regulating lobbying; requiring the registration of legislative counsel and agents and regulating their activity; and prohibiting improper and corrupt lobbying.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 624, by Senator Holdoegel, a bill for an act to legalize one hundred twenty-five thousand dollars (\$125,000.00) courthouse bonds of Calhoun county, Iowa, and to authorize the issuance of one hundred twenty-five thousand (\$125,000.00) dollars refunding bonds of said county for the purpose of refunding said courthouse bonds.

Read first and second times and referred to committee on judiciary No. 2.

President Pro Tem Price took the chair at 9:15 a. m.

The roll was called to ascertain if there was a quorum present.

The roll call revealed the presence of a quorum.

President Hammill resumed the chair at 9:20.

THIRD READING OF BILLS

On motion of Senator Goodwin House File No. 335, a bill for an act to amend section one (1) chapter one hundred twenty-eight (128) of the acts of the Thirty-seventh General Assembly (C. C. section 5347), relative to dissolution of corporations, and the giving of notice of such dissolution, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Abben
Adams

Bergman
Bowman

Brookhart
Brookins

Buser
Caldwell

Campbell	Hartman	Perkins	Smith
Cessna	Haskell	Price	Snook
Darting	Holdoegel	Romkey	Stoddard
Dutcher	Johnston	Scott	Thurston
Ethell	Kimberly	Shaff	Tuck
Fulton	McIntosh	Shane	White
Goodwin	Mead	Shinn	Wichman
Hale	Olson	Slosson	

Nays, none.

Absent or not voting, 10.

Baird	Gilchrist	Nelson	Rees
Banta	Horchem	Newberry	
Browne	Mantz	Reed	

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

On motion of Senator McIntosh Senate File No. 606, a bill for an act to amend section 2461-a of the supplemental supplement to the code of Iowa, 1915 (C. C. 1019) relating to the sale of intoxicating liquor, a committee bill, was taken up and considered.

Senator Fulton offered the following amendment and moved its adoption:

Amend by inserting the word "unlawful" in line 7 between the words "any" and "purpose".

The amendment was adopted.

The bill was read for information.

Senator McIntosh moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Cessna	Holdoegel	Scott
Adams	Darting	Horchem	Shane
Baird	Dutcher	Johnston	Shinn
Bergman	Ethell	Kimberly	Snook
Bowman	Fulton	McIntosh	Stoddard
Brookhart	Goodwin	Nelson	Thurston
Brookins	Hale	Perkins	Tuck
Browne	Hartman	Price	Wichman
Caldwell	Haskell	Romkey	

Nays, none.

Absent or not voting, 14.

Banta	Mantz	Reed	Smith
Buser	Mead	Rees	White
Campbell	Newberry	Shaff	
Gilchrist	Olson	Slosson	

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

On motion of Senator Goodwin Senate File No. 528, a bill for an act relating to playground maintenance fund in cities and to govern the use of said fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Darting	McIntosh	Shane
Adams	Fulton	Mantz	Shinn
Baird	Goodwin	Mead	Slosson
Bergman	Hale	Nelson	Snook
Bowman	Haskell	Olson	Stoddard
Brookhart	Holdoegel	Perkins	Thurston
Brookins	Horchem	Romkey	Tuck
Browne	Johnston	Scott	Wichman
Caldwell	Kimberly	Shaff	

Nays, none.

Absent or not voting, 14.

Banta	Dutcher	Newberry	Smith
Buser	Ethell	Price	White
Campbell	Gilchrist	Reed	
Cessna	Hartman	Rees	

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

On motion of Senator Hale Senate File No. 398, a bill for an act making an appropriation to reimburse Jones county, Iowa, on prison breach cases tried between the dates of December 3d, 1920, and October 2d, 1922, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hale moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 43.

Abben	Browne	Ethell	Horchem
Adams	Buser	Fulton	Johnston
Baird	Caldwell	Goodwin	Kimberly
Bergman	Campbell	Hale	McIntosh
Bowman	Cessna	Hartman	Mantz
Brookhart	Darting	Haskell	Mead
Brookins	Dutcher	Holdoegel	Nelson

Olson	Romkey	Shinn	Tuck
Perkins	Scott	Slosson	White
Price	Shaff	Snook	Wichman
Reed	Shane	Stoddard	

Nays, none.

Absent or not voting, 6.

Banta	Newberry	Smith	Thurston
Gilchrist	Rees		

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

On motion of Senator Fulton Senate File No. 563, a bill for an act to amend section 1877 of the code (C. C. Sec. 5803), relating to receivership for banks, a committee bill, was taken up and considered.

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

Senator Brookhart raised the point of order that the bill had passed to its third reading and there could be no discussion.

The President held the point well taken.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Darting	Kimberly	Slosson
Adams	Dutcher	McIntosh	Snook
Baird	Fulton	Mantz	Stoddard
Banta	Goodwin	Mead	Thurston
Bergman	Hale	Nelson	Tuck
Bowman	Hartman	Olson	White
Brookhart	Haskell	Perkins	Wichman
Brookins	Holdoegel	Price	
Campbell	Horchem	Scott	
Cessna	Johnston	Shane	

Nays, 3.

Buser	Caldwell	Romkey
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Absent or not voting, 9.

Browne	Newberry	Shaff	Smith
Ethell	Reed	Shinn	
Gilchrist	Rees		

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

Senator Abben moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

Senator Price asked for a division and asked for a roll call.

On the question "Shall the motion to reconsider be laid on the table?" the vote was:

Ayes, 30.

Abben	Cessna	Johnston	Slosson
Adams	Darting	Kimberly	Snook
Baird	Fulton	McIntosh	Stoddard
Banta	Goodwin	Mantz	Thurston
Bergman	Hale	Mead	White
Brookhart	Hartman	Olson	Wichman
Brookins	Holdoegel	Perkins	
Campbell	Horchem	Shane	

Nays, 9.

Browne	Ethell	Price	Shinn
Buser	Nelson	Rees	Tuck
Caldwell			

Absent or not voting, 10.

Bowman	Haskell	Romkey	Smith
Dutcher	Newberry	Scott	
Gilchrist	Reed	Shaff	

The motion prevailed.

On motion of Senator Olson House File No. 270, a bill for an act to make an emergency appropriation for the construction of an armory to take the place of the one destroyed by fire at the Iowa State College of Agriculture and Mechanic Arts, 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 striking from section two (2), the words and figures "One Hundred Thousand Dollars (\$100,000)" and inserting in lieu thereof the words and figures "One Hundred Forty Thousand Dollars (\$140,000)," or so much thereof as may be necessary.

Also amend by striking out all of section four (4) of the bill and re-numbering the following sections to correspond.

Senator Price offered the following amendment to the committee amendment and moved its adoption:

Amend by striking out the words and figures "one hundred forty thousand dollars (\$140,000) and inserting in lieu thereof the words and figures "one hundred twenty thousand dollars (\$120,000)".

Senator Price invoked rule 8.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 18.

Browne	Fulton	Price	Smith
Buser	Hartman	Rees	Snook
Campbell	Johnston	Romkey	Tuck
Cessna	McIntosh	Shane	
Ethell	Nelson	Shinn	

Nays, 27.

Abben	Brookins	Holdoegel	Scott
Adams	Caldwell	Horchem	Shaff
Baird	Darting	Kimberly	Slosson
Banta	Dutcher	Mantz	Stoddard
Bergman	Goodwin	Mead	White
Bowman	Hale	Olson	Wichman
Brookhart	Haskell	Perkins	

Absent or not voting, 4.

Gilchrist	Newberry	Reed	Thurston
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The amendment was lost.

Senator Olson invoked rule 8.

On the question "Shall the committee amendments be adopted?" the vote was:

Ayes, 31.

Abben	Buser	Holdoegel	Scott
Adams	Caldwell	Horchem	Shaff
Baird	Darting	Kimberly	Shane
Banta	Dutcher	Mantz	Stoddard
Bergman	Fulton	Mead	Thurston
Bowman	Goodwin	Olson	White
Brookhart	Hale	Perkins	Wichman
Brookins	Haskell	Reed	

Nays, 15.

Browne	Johnston	Rees	Smith
Campbell	McIntosh	Romkey	Snook
Ethell	Nelson	Shinn	Tuck
Hartman	Price	Slosson	

Absent or not voting, 3.

Cessna	Gilchrist	Newberry
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The committee amendments were adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by inserting in line 4 of section 1 following the word "destroyed" the following: "may be used temporarily to accommodate any state activity connected with agriculture or agricultural interests".

Also amend by inserting in line 4 of section 1 following the word "and" the word "is".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 38.

Abben	Brookhart	Campbell	Goodwin
Adams	Brookins	Darting	Hale
Baird	Browne	Dutcher	Hartman
Banta	Buser	Ethell	Haskell
Bergman	Caldwell	Fulton	Holdoegel

Horchem
Kimberly
Mantz
Mead
Nelson

Olson
Price
Reed
Romkey
Scott

Shane
Shinn
Slosson
Snook
Thurston

Tuck
White
Wichman

Nays, none.

Absent or not voting, 11.

Howman
Cessna
Gilchrist

Johnston
McIntosh
Newberry

Perkins
Rees
Shaff

Smith
Stoddard

The amendment was adopted.

The bill was read for information.

Senator Olson moved that the reading just had be considered the third reading, which motion prevailed.

Senator Olson invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Abben
Adams
Baird
Banta
Bergman
Bowman
Brookhart
Brookins
Caldwell

Campbell
Darting
Dutcher
Fulton
Goodwin
Hale
Hartman
Haskell
Holdoegel

Horchem
Kimberly
Mantz
Mead
Olson
Perkins
Reed
Scott
Shaff

Shane
Slosson
Stoddard
Thurston
White
Wichman

Nays, 12.

Browne
Buser
Ethell

Johnston
McIntosh
Nelson

Price
Romkey
Shinn

Smith
Snook
Tuck

Absent or not voting, 4.

Cessna

Gilchrist

Newberry

Rees

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

Senator Olson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

Senator Price asked for a division of the motion.

Senator Price asked for a roll call.

Senator Price invoked rule 8.

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

Ayes, 29.

Abben	Caldwell	Hoichem	Shaff
Adams	Darting	Kimberly	Shane
Baird	Dutcher	Mantz	Stoddard
Banta	Goodwin	Mead	White
Bergman	Hale	Olson	Wichman
Bowman	Hartman	Perkins	
Brookhart	Haskell	Reed	
Brookins	Holdoegel	Scott	

Nays, 15.

Browne	Johnston	Romkey	Snook
Buser	McIntosh	Shinn	Thurston
Campbell	Nelson	Slosson	Tuck
Ethell	Price	Smith	

Absent or not voting, 5.

Cessna	Gilchrist	Newberry	Rees
Fulton			

The motion prevailed.

By unanimous consent Senator Olson withdrew Senate File No. 279 from further consideration.

On motion of Senator Shane, Senate File No. 511, a bill for an act to repeal section two thousand five hundred eighty-four (2584) supplemental supplement to the code, 1915, relating to the appointment of the commissioners of pharmacy, the powers and duties thereof, and to enact a substitute therefor, a committee bill, was taken up and considered.

Senator Shane offered the following amendment and moved its adoption:

Amend Senate File No. 511 by striking from line twelve (12) of section one (1) the word "six" and inserting in lieu thereof the word "three".

Also amend by striking the comma appearing after the word "duties" in line nineteen (19) of section one (1), and inserting the following in lieu thereof: "according to the provisions of this chapter, the same to be done without expense to the state, save the necessary blanks and stationery which shall upon requisition be furnished by the secretary of state".

Senator Shane offered the following amendment to the amendment and moved its adoption:

Amend by striking out the words "secretary of state" and inserting in lieu thereof the words "superintendent of printing".

The amendment to the amendment was adopted.

The amendment was adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Abben	Caldwell	Kimberly	Scott
Adams	Darting	McIntosh	Shaff
Baird	Ethell	Mantz	Shane
Banta	Fulton	Mead	Shinn
Bergman	Goodwin	Nelson	Slosson
Bowman	Hale	Olson	Smith
Brookhart	Hartman	Perkins	Snook
Brookins	Haskell	Reed	Stoddard
Browne	Holdoegel	Rees	Thurston
Buser	Horchem	Romkey	Wichman

Nays, none.

Absent or not voting, 9.

Campbell	Gilchrist	Price	White
Cessna	Johnston	Tuck	
Dutcher	Newberry		

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

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: House Files Nos. 705, 56, 248, 357 and 380.

Senator Smith moved that the House be requested to return Senate File No. 388 for the purpose of amending by adding a publication clause, which motion prevailed.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File No. 266 by striking out all after the enacting clause, and inserting in lieu thereof the following:

Section 1. The words "telephone company" as used in this act shall embrace all persons, firms, corporations, associations and organizations engaged in the business of furnishing means of communication by telephone within the state of Iowa.

Sec. 2. All telephone companies operating and doing business in this state are declared to be common carriers and it shall be the duty of every such telephone company to furnish telephone service at a reasonable charge or rate therefor.

Sec. 3. The railroad commissioners of this state shall have general supervision of all telephone companies operating and doing business in this state; and shall inquire into any unjust discrimination, neglect or violation of the laws of this state governing common carriers by any telephone company doing business therein or by the officers, agents or

employees thereof; and they shall have power, and it shall be their duty, to fix and establish reasonable, fair and just rates or charges for telephone service, which may be changed or modified by said commissioners from time to time in such manner as may become necessary. Provided, that mutual companies doing no commercial business, except as the agents of toll lines, shall not be included in nor governed by the provisions of this act, excepting that the terms upon which such companies may make physical connection with toll lines may be fixed by said commission and their rights upon the highways determined as against injury by high tension transmission lines.

Sec. 4. Within six (6) months from the taking effect of this act, it shall be the duty of said railroad commissioners, and they are hereby directed, to prepare and adopt such rules and regulations for the supervision of telephone companies as may in their judgment be necessary, including a schedule of maximum toll or long distance rates for both night service and day service, and to cause the same to be published in some convenient form for distribution to the officers, agents and employees of all such companies and to such other persons as may make a request therefor.

Sec. 5. The railroad commissioners of this state shall have power under such reasonable rules and regulations as they may prescribe to require physical connection, or connections, to be made and telephone service to be furnished between telephone systems embraced within the provisions of this act whenever in the judgment of the commission public convenience and necessity require such physical connection or connections; provided, such connections shall not be required between competing exchanges in the same city or town for subscribers residing in such city or town.

The term "physical connection" as used in this section may include such number of trunk lines or complete wire circuits and connections as may be required to furnish reasonable and adequate telephone service to the public between such public utilities; and they shall have the power to fix and determine the just and reasonable rates and charges for such service and joint use, and provide the method of apportioning the compensation or joint charge between the utilities interested.

Sec. 6. The railroad commissioners shall have power to investigate, ascertain and regulate from time to time the character and quality of the service rendered, or to be rendered, by any telephone company doing business in this state and to examine into the methods employed by such company in carrying on its business and keeping its accounts, and shall have power to order such reasonable extension of the company's lines as will best promote the public interests.

Sec. 7. The filing of complaints by any person, firm, corporation or association, or any body politic or municipal organization, and the hearing thereof, the enforcement of the orders of the railroad commissioners and the right and method of appeal from such orders and all other matters of procedure, insofar as applicable, shall be as provided in the laws of the state relating to the board of railroad commissioners and the regulation of carriers by railway.

Sec. 8. In determining the reasonable and just charges or rates for telephone service by telephone companies or public utilities doing telephone business in this state, no franchise value shall be included.

Sec. 9. In determining and fixing reasonable rates and charges for telephone service and preventing unjust discrimination and undue preference, the railroad commission shall have and exercise all the powers they now have and exercise with respect to railroads and other common carriers doing business in this state.

Sec. 10. Nothing herein shall be construed to affect or repeal any of the provisions of sections seven hundred seventy-five (775) and seven hundred seventy-six (776) of the code and amendments thereto, nor shall anything herein be construed as limiting, restricting or in any manner taking from the cities and towns of the state any of the power now held by such municipalities for the regulation and control of telephone companies, their wires, poles and other equipment. No telephone company shall exercise any rights or privileges for the purpose of constructing any new plant duplicating any existing plant or any part thereof in any city or town, without first having obtained the permission and approval of the city or town in or through which such new plant is proposed to be constructed.

Sec. 11. The rates and charges for any telephone service rendered to the public within this state by telephone companies or other public utilities furnishing telephone service which were established and which are in effect on the date of the passage of this act shall not be increased without first securing the consent of the commission, and such consent shall only be given after notice and hearing.

Sec. 12. Nothing in this act shall be held to in any manner affect litigation now pending between any of the cities and towns of this state and any telephone company or companies or public utilities company furnishing telephone service, nor shall anything herein, or any act or thing done thereunder by such telephone company or public utility, be construed or held to vest any right in any such company or utility, except such rights as are herein expressly granted, and the right to appeal, amend, change or alter any or all of the provisions of this act is hereby expressly reserved.

Sec. 13. 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 in the Des Moines Capital, newspapers published at Des Moines, Iowa.

ED H. CAMPBELL.

MR. PRESIDENT: I move to amend Senate File No. 292 by striking therefrom all of lines four (4) and five (5), of section one (1).

A. J. SHINN.

MR. PRESIDENT: I move to amend Senate File No. 277 by adding to section one (1) thereof the following:

"In any assessment district where twenty-five (25%) per cent of the cost of hard surfacing has been assessed against abutting lands and col-

lected from the owners thereof, the board of supervisors shall refund from that portion of the primary road fund derived from the collection of motor vehicle license fees to the owner of each parcel of land assessed, the amount paid as an assessment against such land in excess of ten (10) per cent of the cost of the improvement, in the aggregate not to exceed two per cent (2%) of the value of the land.

In case the land has been transferred the refund shall be made to the parties in proportion to the amount they have paid of such assessment."

J. O. SHAFF.

The Journal of March 14th was corrected and approved.

Senator Brookhart moved that the Senate adjourn until 9:30 a. m. Friday.

Senator Shane moved to amend by making the hour 9:00 a. m.

The amendment was adopted and the Senate adjourned until 9 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER.

DES MOINES, IOWA, March 16, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Col. L. W. Ainsworth, Secretary of the Senate.

On motion of Senator Shinn rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Haskell for the day on request of Senator Hale; Senator Newberry for the day on request of Senator Buser.

PETITIONS AND MEMORIALS

Senator Rees presented a petition from citizens of Fremont county, protesting Senate File 306 proposing to prohibit the use of live decoys. Referred to committee on fish and game.

Petitions from Modern Woodmen of America protesting House File 544 relative to fraternal beneficiary societies were presented by Senator Shane from Woodmen of Wapello county; by Senator Shinn from Camps 3758, 1576, 1309, 8406, and 315 of Persia, Denison, Woodbine, Soldier, and Whiting; by Senator Haskell from Camps 6849 and 948, Cedar Rapids, and Center Point; by Senator Holdoegel from Camp 438, Fort Dodge; by Senator Slosson from Camp 134, Northwood, and 4469, Lake Mills; by Senator Mantz from Camps 177 and 180, Audubon and Perry; by Senator Abben from Camp 3513, Ocheyedan; by Senator Rees from J. W. Trullinger, Shenandoah. All were referred to the committee on insurance.

Petitions from the Modern Brotherhood of America endorsing House File 544 were presented by Senator Holdoegel from Lodge 167, Gowrie; by Senator Brookins from Lodge 245, Nashua; by Senator Abben from Lodge 246, Hartley; and Lodge 242, Ireton. All were referred to the committee on insurance.

Petitions from the Brotherhood of American Yeomen endorsing House File No. 544 were presented by Senator Wichman from Homestead 162, Mason City; by Senator Rees from Homestead 158, Clarinda; by Senator Holdoegel from Homestead 242, Stratford; and 88, Lohrville; by Senator Haskell from Homestead 189, Mount Vernon; by Senator Abben from Homestead 281, Melvin. All were referred to the committee on insurance.

INTRODUCTION OF BILLS

Senate File No. 625, by committee on ways and means, a bill for an act relating to the assessment of property for taxation; providing for a state board of assessment and review, defining its powers and duties; providing for a county assessor, defining his powers and duties; providing for the repeal of section 1305 of the supplement to the code, 1913, and to provide a substitute therefor, and providing for violation of the provisions thereof.

Read first and second times and ordered placed on the calendar.

Senate File No. 626, by committee on ways and means, a bill for an act creating local budget boards, defining their powers and duties; providing for state supervision of the same by the state board of assessment and review, and providing penalties for a violation of the provisions thereof.

Read first and second times and ordered placed on the calendar.

Senate File No. 627, by committee on ways and means, a bill for an act creating a state budget board and defining its powers and duties, and providing an appropriation for the purpose of carrying out the terms and provisions thereof.

Read first and second times and ordered placed on the calendar.

Senate File No. 628, by Senator Romkey, a bill for an act to amend section twenty-seven hundred fifty-six (2756), supplement to the code, 1913. (C. C. sec. 2544), relating to the time that the polls shall open at school elections in certain school corporations.

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

Senate File No. 629, by committee on banking, a bill for an act to repeal chapter three hundred fifty-seven (357) of the acts of the Thirty-seventh General Assembly (C. C. 5769) relating to the minimum capital required for the organization of new savings

banks, but not to affect savings banks at this time organized nor their renewal of charters, and to require surplus account.

Read first and second times and ordered placed on the calendar.

Senate File No. 630, by Senator Cessna, a bill for an act invalidating certain state warrants and providing for the issuance of new warrants therefor.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 631, by Senator Mantz, a bill for an act to amend title nine (IX) chapter five (V), of the code, (C. C. title 28, chapter 8), relating to venue of actions to collect assessments levied to pay losses by hailstorms.

Read first and second times and referred to committee on judiciary No. 2.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports it has on this 15th day of March, 1923, sent to the Governor for his approval, Senate Files Nos. 265, 286 and 309.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

RESOLUTION FOR SPECIAL COMMITTEE

Senator Fulton offered the following resolution and moved its adoption:

Whereas, It is desirable that more specific and more accurate knowledge of the work of the various offices and departments of state at the seat of government be afforded the members of the Senate in order that they may act more intelligently upon proposed appropriations, therefore,

Be It Resolved, That a committee of three be appointed by the President of the Senate to make a general survey of such offices and departments with a view to determining what may be done, if anything, to improve their efficiency, what probable work they each may be required to do in the coming biennium, and what decrease or increase, if any, in the help of each may be needed to meet their requirements and to report promptly the conclusions drawn from this study to the committee on appropriations, and, when the survey is completed, to the Senate.

The resolution was ordered printed in the Journal at the suggestion of Senator Smith.

REPORTS OF COMMITTEES

Senator Ethell submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 611, a bill for an act authorizing the board of supervisors to transfer unexpended balances from bond issues to the general fund of the county, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 495, a bill for an act making counties responsible for the maintenance of certain bridges and fixing liabilities for failure to maintain such bridges in a safe condition for travel and providing for the payment of any damages occurring from certain funds, begs leave to report it has had the same under consideration and recommends the same be amended as follows and when so amended be placed on the calendar without further recommendation.

Amend by striking "culverts and township bridges and" from section 1, line 3. In line 13 of section 1 insert after the word "be" and before the word "payable" the following: "a liability upon and"; also by striking the period after the word "occurred" in line 14 of said section and insert in lieu thereof a comma (,) and add the following: "and from no other fund."

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred House File No. 412, a bill for an act to amend chapter two hundred sixteen (216), section one (1), acts of the Thirty-eighth General Assembly (S. C. C. 6837) relating to fees of justices of the peace and constables, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

JOHN J. ETHELL, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred House File No. 419, a bill for an act to amend chapter two hundred sixteen (216) (C. C. sec. 6837) acts of the Thirty-eighth General Assembly, relating to fees of justice of the peace and constables, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Senator Brookhart, 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. 457, a bill for an act to legalize \$78,000.00 school building bonds dated August 1, 1921, of the consolidated independent school district of Moorland, Webster County, Iowa, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to whom was referred House File No. 82, a bill for an act to amend, revise, and codify chapter twelve (12) of title twenty-three (23) of the compiled code of Iowa, and sections sixty-four hundred ninety-two (6492) and sixty-five hundred one (6501) of the supplement to said code, relating to trustees to manage cemetery funds, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to whom was referred House File No. 369, a bill for an act to legalize an election held on the 30th day of June, 1922, in the town of Denver, county of Bremer, state of Iowa, for the purpose of voting on the proposition to erect a town hall at a cost not to exceed \$7,000.00 and to legalize all acts and proceedings in respect to said election and in respect to the issuance of bonds in said sum of said town, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 314, a bill for an act to legalize the action of the boards of supervisors of Muscatine and Louisa counties relative to the assessments against state lands in drainage district number thirteen (13), located in Muscatine and Louisa counties and to authorize the payment of said assessments with accrued interest, beg leave to report it has had the same under consideration and recommends the same do pass after same has been referred to the committee on appropriations.

J. L. BROOKHART, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 588, a bill for an act to legalize certain warrants

issued by the board of supervisors of Lucas county, Iowa, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred House File No. 489, a bill for an act authorizing the issuance of a patent to certain lands in Dallas county, Iowa, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Senator Scott submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 424, a bill for an act exempting certain societies and associations of employes from the provisions of chapters four (4) to nine (9) inclusive of title nine (IX) of the code as amended, begs leave to report it has had the same under consideration and recommends 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. Unless specific reference is made thereto, no provision of chapters four (4) to nine (9) inclusive, of title nine (IX) of the code, now in force or hereafter enacted, shall include or apply to:

(a) Domestic societies which limit their membership to the employes of

1. A particular city or town, or,
2. A designated firm, business house or corporation.

Sec. 2. The commissioner of insurance may require from any society such information as will enable him to determine whether such society is exempt from the provisions of the laws relating to insurance or to fraternal benefit societies.

R. P. SCOTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 560, a bill for an act to amend paragraph one (1) of section seventeen hundred fourteen (1714) (C. C. 5632) of the code, as amended by section fourteen (14), chapter four hundred twenty-nine (429) acts of the Thirty-seventh General Assembly, section seventeen hundred twenty-four (1724) (C. C. 5640) of the code, and section seventeen hundred (1700) (C. C. 5623) of the code, changing the time for filing annual statements, and extending the expiration date of certificates of authority and agents' licenses, relating to insurance other than life, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking from section 3, line 5 of the bill, the word "twenty-ninth" and inserting in lieu thereof the word "thirty-fourth".

R. P. SCOTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 509, a bill for an act to amend the law as it appears in chapter three hundred ten (310), acts of the Thirty-ninth (39) General Assembly, relating to the appropriation for refund of taxes paid by certain insurance companies; providing for the refund of taxes paid by certain insurance companies upon reinsurance premiums, and making appropriations therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

R. P. SCOTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 486, a bill for an act to require insurance companies writing the several classes of insurance authorized by sub-division c of section two (2), chapter four hundred twenty-eight (428) acts of the Thirty-seventh General Assembly of Iowa (C. C. 5627-5d) to maintain certain reserves for outstanding losses, begs leave to report it has had the same under consideration and recommends the same do pass.

R. P. SCOTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 483, a bill for an act to repeal section sixteen hundred ninety-one (1691) (C. C. 5605) of the code of 1897, and section seventeen hundred eighty-three-e (1783-e) (C. C. 5496) supplement to the code, 1913, as amended by section four (4), chapter two hundred sixty-one (261) acts of the Thirty-ninth (39th) General Assembly, and to enact a substitute in lieu thereof, relating to insurance other than life, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

R. P. SCOTT, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 340, a bill for an act to amend section eighteen hundred thirty-nine-1 (1839-1), supplement to the code, 1913, (C. C. 5583) 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, begs

leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

R. P. SCOTT, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred House File No. 360, a bill for an act to amend sections four (4), eleven (11), and twelve (12), of chapter one hundred twenty (120), of the acts of the Thirty-ninth General Assembly, relating to mutual insurance associations, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

R. P. SCOTT, *Chairman*.

Senator Brookhart moved that the report of the committee on House File No. 360 be rejected and that it be placed on the calendar, which motion prevailed.

Senator Brookhart, 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. 507, a bill for an act to amend section four thousand eleven (4011) of the code, 1897 (C. C. section 7730), pertaining to exemption from liability for debt, beg leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill be reported out without further recommendation:

Strike out all after the enacting clause and substitute the following:

Section 1. That section four thousand eleven (4011) of the code, 1897 (C. C. sec. 7730), be and the same is hereby amended by adding after the word "debt" in line four (4) thereof the following: "to an amount not to exceed twenty dollars per week".

Sec. 2. This act shall not apply to debts contracted prior to the taking effect thereof.

J. L. BROOKHART, *Chairman*.

The report was adopted and the bill ordered placed on the calendar.

Senator Newberry submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 300, a bill for an act to repeal the law as it appears in chapter two hundred thirty-two (232) of the laws of the Thirty-ninth General Assembly, relating to the financial statement of school boards and to enact a substitute therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Senator Adams submitted the following report:

MR. PRESIDENT: Your committee on railroads to which was referred Senate File No. 296, a bill for an act to repeal section twenty-one hundred twenty-eight (2128) of the code (C. C. 5179) relating to schedules of rates and fares, and the powers and duties of the board of railroad commissioners with respect thereto, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out all of section 15 and inserting in lieu thereof the following:

"Sec. 15. Unless the board of railroad commissioners otherwise orders, no change shall be made by any common carrier in any rate, fare, toll, charge or classification or in any rule, regulation, practice, or contract relating to or affecting any rate, fare, toll, charge or classification, except after thirty days' notice to the board of railroad commissioners and to the public as herein provided."

Amend by striking out all of section 18 and inserting in lieu thereof the following:

"Sec. 18. When any change is proposed in any rate, fare, toll, charge or classification, or in any rule, regulation practice or contract relating to or affecting any rate, fare, toll, charge or classification, such proposed change shall be plainly indicated on the new schedule filed with the board of railroad commissioners by some character immediately preceding or following the item."

Amend by striking out all of section 19 and inserting in lieu thereof the following:

"Sec. 19. No common carrier, except as in this chapter otherwise provided, shall charge, demand, collect or receive a greater or less or different compensation for the transportation of persons or property, or for any service in connection therewith, than the rates, fares and charges applicable to such transportation, as specified in its schedules filed and in effect at the time, nor shall any such carrier refund or remit in any manner or by any device any portion of the rates, fares or charges so specified, except upon order of the courts, or of the board of railroad commissioners as may be now or hereafter by law provided, nor extend to any shipper or person any privilege or facility in the transportation of passengers or property, except such as are specified in such schedules."

Amend by striking out all of section 20 and inserting in lieu thereof the following:

"Sec. 20. Whenever there shall be filed with the board of railroad commissioners any schedule, stating an individual or joint rate, fare, toll, charge, classification, contract, practice, rule or regulation, the board of railroad commissioners shall have power, and it is hereby given authority, either upon complaint or upon its own motion without complaint, at once, and, if it so order, without answer or formal pleadings by the interested common carrier or carriers, but upon reasonable notice, to enter upon a hearing concerning the propriety of such rate, fare, toll, charge, classification, contract, practice, rule or regulation,

and pending the hearing and the decision thereon, such rate, fare, toll, charge, classification, contract, practice, rule or regulation shall not go into effect; provided that the period of suspension of such rate, fare, toll, charge, classification, contract, practice, rule or regulation shall not extend more than one hundred and twenty days beyond the time when such rate, fare, toll, charge, classification, contract, practice, rule or regulation would otherwise go into effect unless the board, in its discretion, extends the period of suspension for a further period of not exceeding thirty days."

Amend by striking out all of section 21 and inserting in lieu thereof the following:

"Sec. 21. On such hearing the board of railroad commissioners shall establish the rates, fares, tolls, charges, classifications, contracts, practices, rules or regulations proposed, in whole or in part, or others in lieu thereof, which it shall find to be just and reasonable."

Amend by striking out all of section 22 and inserting in lieu thereof the following:

"Sec. 22. All such rates, fares, tolls, charges, classifications, contracts, practices, rules or regulations not so suspended shall, on the expiration of thirty days from the time of filing the same with the board of railroad commissioners, or of such less time as the said board may grant, go into effect and be the established and effective rates, fares, tolls, charges, classifications, contracts, practices, rules and regulations, subject to the power of the board of railroad commissioners, after a hearing had upon its own motion or upon complaint, as herein provided, to alter or modify the same."

Amend by striking out all of section 23 and inserting in lieu thereof the following:

"Sec. 23. After such changes have been authorized by the board of railroad commissioners, copies of the new or revised schedules shall be posted or filed as provided in this act, within such reasonable time as may be fixed by the board of railroad commissioners."

H. C. ADAMS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on railroads to whom was referred Senate File No. 295, a bill for an act to repeal sections twenty-one hundred twenty-six (2126) of the code (C. C. 5177), twenty-one hundred forty-six (2146) of the code (C. C. 5201), twenty-one hundred forty-five (2145) supplement to the code, 1913, (C. C. 5200), relating to the powers and duties of the board of railroad commissioners, and the regulation of carriers, beg leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by inserting before the word "no" in line 4, section 1, the following: "No common carrier, subject to the provisions of this chapter shall charge more for the transportation of persons or property to or from any

point on its railroad than a fair and just rate or charge".

Amend by striking out in lines 4 and 5, section 1, "no common carrier or carriers subject to the provisions of this chapter" and substitute therefor "no such common carrier or carriers".

Amend by striking out in lines 11, 12, 13 and 14, section 3, the following: "the burden of proof, however, shall rest upon the common carriers, parties to the rate or charge under attack in such complaints or investigations."

H. C. ADAMS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on railroads to whom was referred Senate File No. 302, a bill for an act to amend section two thousand fifty-six (2056) of the code (C. C. sec. 5077), relating to double damages for loss occasioned by fires caused by the operation of a railway, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. C. ADAMS, *Chairman*.

On motion of Senator Brookhart the report of the committee was rejected and the bill placed on the calendar.

Also:

MR. PRESIDENT: Your committee on railroads to whom was referred House File No. 194, a bill for an act to amend, revise and codify section fifty hundred ninety (5090) of the compiled code of Iowa, relating to liability for negligence of employees and contracts of insurance relief, benefit or indemnity between railway corporations and their employees in case of injury or death, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. ADAMS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on railroads to whom was referred House File No. 196, a bill for an act to amend, revise, and codify sections fifty-one hundred seventy-three (5173) and fifty-one hundred seventy-six (5176) of the compiled code of Iowa, and section fifty hundred nineteen (5019) of the supplement to said code, relating to regulation of carriers and definition of terms, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. ADAMS, *Chairman*.

Ordered passed on file.

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 316, a bill for an act to make an emergency appro-

priation to complete the fireproofing and preservation of the old capitol at Iowa City, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 331, a bill for an act to make appropriation for the payment of certain national guard expense, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *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. 646, a bill for an act to legalize certain warrants issued by the board of supervisors of Lucas county, Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 297, a bill for an act to repeal the law as it appears in chapter one hundred seventy-seven (177) of the laws of the Thirty-ninth (39th) General Assembly, relating to inventory of public officers.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 285, a bill for an act to repeal sections twenty-one hundred twenty-six (2126) (C. C. 5177), and twenty-one hundred forty-six (2146) (C. C. 5201), of the code, and to enact a substitute therefor, and to repeal section twenty-one hundred forty-five (2145) (C. C. 5200), of the supplement to the code, 1913, all relating to the powers and duties of the board of railroad commissioners, and the regulation of carriers.

Also, 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 repeal section twenty-one hundred twenty-eight (2128) (C. C. 5179), of the code, relating to schedules of rates and fares, and the powers and duties of the board of railroad commissioners with respect thereto, and to enact a substitute therefor.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 687, a bill for an act to amend section eighteen hundred fifty-a (1850-a), supplement to the code, 1913 (C. C. 5777), relating to the surplus fund of savings banks; and to amend section eighteen hundred eighty-nine-1 (1889-1), supplement to the code, 1913 (C. C. 5831),

relating to the surplus fund of banks and trust companies acting in fiduciary capacity; and to require all state banks to create a surplus fund.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 421, a bill for an act to amend section twenty-seven hundred seventy-three (2773) as amended by chapter 160, acts of the 38th General Assembly (C. C. sec. 2639), relating to the conditions under which certain school corporations may charge tuition.

Also, 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 prohibit nepotism within this state.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 350, a bill for an act to repeal chapter two hundred seventy-nine (279), acts of the Thirty-ninth General Assembly, (section 529, supplement to the C. C.), relating to the counting of absent voters' ballots in precincts using voting machines and to enact a substitute therefor.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 305, a bill for an act repealing sections five thousand five hundred fifteen (5515) (C. C. sec. 9268), five thousand five hundred sixteen (5516) (C. C. sec. 9269), five thousand five hundred seventeen (5517) (C. C. sec. 9270) of the code of 1897, and section five thousand five hundred eighteen (5518) (C. C. sec. 9271), and five thousand five hundred nineteen (5519) (C. C. sec. 9272) of the supplement to the code, 1913, relating to forfeiture of bail, and to enact a substitute therefor.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 385, a bill for an act to amend section three thousand two hundred nineteen (3219) of the code, (C. C. sec. 6670) relating to appointment of guardians for drunkards, spendthrifts, and lunatics, and other persons.

Also, 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 further define the crime of manslaughter in the case of death resulting from the consuming of intoxicating liquor, relating to title twenty-four (XXIV) of the code of eighteen hundred ninety-seven (1897) (C. C. title XXIII), of crimes and punishments.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 563, a bill for an act to amend section eighteen hundred seventy-seven (1877) of the code, (C. C. sec. 5803), relating to receiverships for banks.

Also, 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 making an appropriation to defray the expense of the inaugural ceremonies.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 359, a bill for an act to amend sections eleven hundred thirty-seven-c (1137-c), supplemental supplement to the code, 1915, (C. C. 522), and eleven hundred thirty-seven-e (1137-e), supplemental supplement to the code, 1915, (C. C. 524), relating to the absent voters' law.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 422, a bill for an act to amend chapter eighty-five (85) acts of the Thirty-eighth General Assembly (C. C. 3974), relating to the powers of cities and towns with reference to waterworks, heating plants, gas works or electric light or electric power plants.

Also 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 authorizing the trial court to hold a person acquitted of a crime when the evidence shows that such person is guilty of another and different crime, so that such matter may be submitted to the grand jury.

Also, that the House concurs in Senate amendment to House File No. 206, a bill for an act to amend, revise, and codify section five thousand four hundred seventy-eight (5478) of the supplement to the compiled code of Iowa, relating to life insurance companies.

Also, that the House concurs in Senate Amendments to House File No. 16, a bill for an act to amend, revise and codify chapter fourteen (14) of title two (2) of the compiled code of Iowa, relating to the census.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE MESSAGES CONSIDERED.

House File No. 687, a bill for an act to amend section eighteen hundred fifty-a (1850-a), supplement to the code, 1913 (C. C. 5777), relating to the surplus fund of savings banks; and to amend section eighteen hundred eighty-nine-a (1889-a), supplement to the code, 1913 (C. C. 5831), relating to the surplus fund of banks and trust companies acting in fiduciary capacity; and to require all state banks to create a surplus fund.

Read first and second times and referred to committee on banks.

House File No. 284, a bill for an act to repeal section twenty-one hundred twenty-eight (2128), (C. C. 5179), of the Code, relating to schedules of rates and fares, and the powers and duties of the Board of Railroad Commissioners with respect thereto, and to enact a substitute therefor.

Read first and second times and referred to committee on railroads.

House File No. 285, a bill for an act to repeal sections twenty-one hundred twenty-six (2126), (C. C. 5177), and twenty-one hundred forty-six (2146) (C. C. 5201), of the Code, and to enact a substitute therefor, and to repeal section twenty-one hundred forty-five, (2145), (C. C. 5200), of the supplement to the Code, 1913, all relating to the powers and duties of the Board of Railroad Commissioners, and the regulation of carriers.

Read first and second times and referred to committee on railroads.

House File No. 421, a bill for an act to amend section twenty-seven hundred seventy-three (2773) as amended by chapter 160, acts of the 38th General Assembly (C. C. Sec. 2639) relating to the conditions under which certain school corporations may charge tuition.

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

House File No. 391, a bill for an act to prohibit nepotism within this state.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 297, a bill for an act to repeal the law as it appears in chapter one hundred seventy-seven (177) of the laws of the Thirty-ninth (39th) General Assembly relating to inventory by public officers.

Read first and second times and referred to committee on county and township affairs.

House File No. 646, a bill for an act to legalize certain warrants issued by the board of supervisors of Lucas county, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

On motion of Senator Caldwell Senate File No. 273 was ordered returned from the committee on ways and means and placed on the calendar.

MOTION RELATIVE TO WITHDRAWAL OF BILLS

Senator Smith offered the following motion and moved its adoption:

During the remainder of this session no bill shall be withdrawn by unanimous consent until the title of the bill shall have been read twice to the Senate.

The motion was adopted.

HOUSE AMENDMENTS CONSIDERED

Senator Mead called up for consideration Senate File No. 271, amended by the House, and moved that the Senate concur in the following amendments:

Amend the title to Senate File No. 271 by striking out "XXIII" after the word "title" in the last line of the title, and inserting in lieu thereof the following, "XXXIII".

On the question "Shall the Senate concur?" the vote was:

Ayes, 32.

Abben	Ethell	Johnston	Scott
Adams	Fulton	Kimberly	Shane
Bergman	Gilchrist	McIntosh	Shinn
Brookhart	Goodwin	Mantz	Slosson
Browne	Hale	Mead	Snook
Buser	Hartman	Perkins	Thurston
Campbell	Holdoegel	Price	White
Dutcher	Horchem	Romkey	Wichman

Nays, none.

Absent or not voting, 17.

Baird	Cessna	Olson	Smith
Banta	Darting	Reed	Stoddard
Bowman	Haskell	Rees	Tuck
Brookins	Nelson	Shaff	
Caldwell	Newberry		

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Thurston called up for consideration Senate File No. 337, amended by the House, and moved that the Senate concur in the following amendments:

Amend the title to Senate File No. 337 to read as follows:

A bill for an act to repeal section fifteen hundred twenty-seven-r two (1527-r2) of the supplemental supplement to the code, 1915, (C. C. 2829), relating to the establishment of roads, and to enact a substitute therefor.

On the question "Shall the Senate concur?" the vote was:

Ayes, 36.

Abben	Banta	Brookhart	Buser
Adams	Bergman	Browne	Campbell

Cessna	Holdoegel	Perkins	Slosson
Dutcher	Horchem	Price	Smith
Ethell	Johnston	Rees	Snook
Fulton	Kimberly	Romkey	Stoddard
Gilchrist	McIntosh	Scott	Thurston
Goodwin	Mantz	Shane	White
Hartman	Mead	Shinn	Wichman

Nays, none.

Absent or not voting, 13.

Baird	Darting	Newberry	Shaff
Bowman	Hale	Olson	Tuck
Brookins	Haskell	Reed	
Caldwell	Nelson		

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Wichman called up for consideration Senate File No. 385, amended by the House, and moved that the Senate concur in the following amendments:

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 three thousand two hundred nineteen (3219) of the code (C. C. 6670), be and the same is hereby amended by adding thereto as paragraph four the following:

"4. Any other person may upon his own application, by verified petition, have a guardian appointed for his person or property or both, if in the opinion of the district court or judge to whom the petition is presented, said appointment would inure to the best interests of said applicant. Upon such application no notice of the hearing shall be required."

On the question "Shall the Senate concur?" the vote was:

Ayes, 41.

Abben	Ethell	Mantz	Shinn
Adams	Fulton	Mead	Slosson
Banta	Gilchrist	Nelson	Smith
Bergman	Goodwin	Olson	Snook
Bowman	Hale	Perkins	Stoddard
Brookhart	Hartman	Reed	Thurston
Brookins	Holdoegel	Rees	Tuck
Buser	Horchem	Scott	White
Campbell	Johnston	Shaff	Wichman
Darting	Kimberly	Shane	
Dutcher	McIntosh		

Nays, none.

Absent or not voting, 8.

Baird	Caldwell	Haskell	Price
Browne	Cessna	Newberry	Romkey

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Tuck called up for consideration Senate File No. 305, amended by the House, and moved that the Senate concur in the following amendment:

Amend by striking out section six (6) of said bill.

On the question "Shall the Senate concur?" the vote was:

Ayes, 41.

Abben	Dutcher	McIntosh	Slosson
Adams	Ethell	Mantz	Smith
Baird	Fulton	Nelson	Snook
Banta	Gilchrist	Olson	Stoddard
Bergman	Goodwin	Perkins	Thurston
Bowman	Hale	Reed	Tuck
Brookhart	Hartman	Romkey	White
Brookins	Holdoegel	Scott	Wichman
Buser	Horchem	Shaff	
Campbell	Johnston	Shane	
Darting	Kimberly	Shinn	

Nays, none.

Absent or not voting, 8.

Browne	Cessna	Mead	Price
Caldwell	Haskell	Newberry	Rees

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Banta called up for consideration Senate File No. 350, amended by the House, and moved that the Senate concur in the following amendments:

Amend by inserting the words and figures "section 1" at the beginning of line one (1) of the bill. Further amend by striking the period (.) at the end of line five (5) of section one (1) and inserting in lieu thereof a colon (:).

On the question "Shall the Senate concur?" the vote was:

Ayes, 36.

Abben	Ethell	Mantz	Shinn
Adams	Fulton	McIntosh	Slosson
Baird	Gilchrist	Mead	Smith
Banta	Goodwin	Olson	Snook
Bergman	Hale	Perkins	Stoddard
Bowman	Hartman	Romkey	Thurston
Brookhart	Holdoegel	Scott	Tuck
Brookins	Horchem	Shaff	White
Dutcher	Kimberly	Shane	Wichman

Nays, none.

Absent or not voting, 13.

Browne	Cessna	Johnston	Price
Buser	Darting	Nelson	Reed
Caldwell	Haskell	Newberry	Rees
Campbell			

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Dutcher, Senate File No. 409, a bill for an act to amend the law as it appears in section thirteen (13), chapter one hundred eighty (180), acts of the Thirty-seventh General Assembly (C. C. Sec. 5720), relating to the annual taxation of premiums collected from subscribers under inter-insurance contracts, 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 following section:

Section 2. That the period (.) following the word, "savings," in the last line of section thirteen (13), chapter one hundred eighty (180), acts of the 37th G. A. (C. C. sec. 5720) be stricken and a comma (,) substituted therefor, and the following added: "and after deducting the amount actually paid for losses on property located within this state or on claims arising within this state, and the amount returned upon cancelled policies and rejected applications covering property situated or on business done within this state".

Also that a comma (,) be inserted after the word "organization", in line eight (8) of section one (1) of said bill; and also that a comma (,) be inserted after the word, "organization", in line nine (9) of said bill.

The bill was read for information.

Senator Dutcher moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Abben	Brookhart	Ethell	Horchem
Adams	Brookins	Fulton	Johnston
Baird	Caldwell	Gilchrist	Kimberly
Banta	Campbell	Goodwin	McIntosh
Bergman	Dutcher	Hartman	Mantz
Bowman	Darting	Holdoegel	Mead

Nelson	Rees	Slosson	Thurston
Olson	Scott	Smith	Tuck
Perkins	Shaff	Snook	White
Price	Shane	Stoddard	Wichman

Nays, none.

Absent or not voting, 9.

Browne	Hale	Reed	Shinn
Buser	Haskell	Romkey	
Cessna	Newberry		

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

On motion of Senator Campbell Senate File No. 371, a bill for an act to permit and authorize the filing of notices of liens for taxes in favor of the United States of America, 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 the following in lieu thereof:

Section 1. The notice of a lien for any tax in favor of the government of the United States or any release of such lien, may be filed and recorded in the office of the county recorder in any county within which the property subject to the lien is situated. Such county recorder shall file, record and index any such notice of lien or any release of the same without fee.

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 News, newspapers published at Des Moines, Iowa.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Ethell	Mantz	Shane
Adams	Fulton	Nelson	Slosson
Baird	Gilchrist	Olson	Smith
Bergman	Goodwin	Perkins	Snook
Brookhart	Hale	Price	Stoddard
Brookins	Hartman	Reed	Thurston
Buser	Holdoegel	Rees	Tuck
Caldwell	Horchem	Romkey	White
Campbell	Johnston	Scott	Wichman
Darting	Kimberly	Shaff	

Nays, none.

Absent or not voting, 10.

Banta
Bowman
Browne

Cessna
Dutcher
Haskell

McIntosh
Mead

Newberry
Shinn

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption :

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 343, 319 and 496, and House Files Nos. 136, 269, 406, 530, 16, 206 and 335.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

On motion of Senator Brookins, Senate File No. 544, a bill for an act to amend section two hundred eighty-eight (288) of the code of 1897 (C. C. section 6974) relating to the records and books to be kept by the clerk of the district court, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dutcher offered the following amendment and moved its adoption :

Amend by striking therefrom the words "including inheritance liens" and adding the word "therein" after the last word thereof.

The amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption :

Amend by adding at the end of section 1 the following: "which entry as to judgment shall be made at the time the judgment is rendered".

On motion of Senator Wichman Senate File No. 544 was referred to the committee on judiciary No. 1.

On motion of Senator Stoddard, Senate File No. 325, a bill for an act to amend chapter two hundred eighty-five (285) acts of the 38th General Assembly (C. C. sec. 3957-3954) providing for the protection of cities from damage by floods, 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 all after the enacting clause and by substituting in lieu thereof the following:

Section 1. That section nine (9) of chapter two hundred eighty-five (285), acts of the Thirty-eighth (38) General Assembly, be amended by substituting therefor the following: "Section 9. When the work is contracted for as herein provided, the council shall assess the lands and other property included within the improvement district for such part of the cost of the improvement as shall be equal and in proportion to the benefit conferred by the improvement, but not in excess of twenty-five per cent of the value of said land and other property after the improvement shall have been made."

Sec. 2. That section fourteen (14) of chapter two hundred eighty-five (285), acts of the Thirty-eighth (38) General Assembly, be amended by adding after the word "improvement" the following: "and there may be included as a part of the improvement the work of filling the old channel at other places than at the intersection of the same by a street or alley and, if included, the city engineer shall be required to furnish plans and specifications, estimates, plats and schedules and the ownership and value of each lot or parcel of land in the old channel; and, when the improvement is completed, the council shall assess the cost of such filling against the lots and land or parts of lots or land in the channel wholly or partly filled. The limitation in section seven hundred ninety-two-a (792-a) of the supplement to the code, 1913, relative to twenty-five per cent of the value, shall not be applicable in the assessment of the cost of said work of filling, "provided, however, that such cost shall not exceed the benefits conferred on the tract so filled."

Sec. 3. That section fifteen (15) chapter two hundred eighty-five (285), acts of the Thirty-eighth (38) General Assembly, be amended by striking therefrom the words "where it is to be abandoned" in the sixth line thereof, and substituting the words "as ordered by the council."

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 Des Moines Register, newspapers published in Des Moines, Iowa.

The bill was read for information.

Senator Shinn offered the following amendment and moved its adoption:

Amend by striking therefrom all of section 4.

The amendment was adopted.

Senator Stoddard moved that 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, 27.

Abben	Cessna	Horchem	Shaff
Adams	Darting	Kimberly	Shane
Baird	Dutcher	Mantz	Stoddard
Banta	Gilchrist	Olson	Thurston
Bergman	Goodwin	Perkins	White
Caldwell	Hale	Romkey	Wichman
Campbell	Holdoegel	Scott	

Nays, 13.

Bowman	Hartman	Price	Snook
Brookhart	Johnston	Shinn	Tuck
Buser	Mead	Slosson	
Fulton	Nelson		

Absent or not voting, 9.

Brookins	Haskell	Reed	Smith
Browne	McIntosh	Rees	
Ethell	Newberry		

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

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Nelson, Senate File No. 292, a bill for an act to amend the law as found in chapter 415 of the acts of the Thirty-seventh General Assembly, (C. C. sec. 4837) relating to the straightening of creeks and rivers, 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 of lines six and seven of section 1 of the bill the following:

"By striking out of line eight (8) of said section one (1) the word 'may' and in lieu thereof inserting the word 'shall'."

Senator Shinn offered the following amendment and moved its adoption:

Amend Senate File No. 292 by striking therefrom all of lines four (4) and five (5), of section one (1).

The amendment was lost.

The bill was read for information.

Senator Nelson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Baird	Fulton	Mead	Slosson
Banta	Gilchrist	Nelson	Smith
Bergman	Goodwin	Perkins	Snook
Brookhart	Hale	Price	Thurston
Buser	Hartman	Romkey	Tuck
Caldwell	Holdoegel	Shaff	White
Campbell	Horchem	Shane	Wichman
Cessna	Johnston	Shinn	
Darting	Kimberly		

Nays, 4.

Abben	Mantz	Olson	Stoddard
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Absent or not voting, 12.

Adams	Browne	Haskell	Reed
Bowman	Dutcher	McIntosh	Rees
Brookins	Ethell	Newberry	Scott

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

Senator Nelson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 496, 319 and 343 and House Files Nos. 136, 269, 406, 530, 16, 206 and 309.

AMENDMENT FILED

That Senate File No. 273 be amended as follows:

By striking out the title thereof, and inserting in lieu thereof the following: "An act imposing a state tax on gasoline, and on all other liquids containing any derivative of petroleum or natural gas, produced, prepared and compounded and usable for the purpose of generating power by means of internal combustion and sold in this state, except for the purpose of re-sale, providing for the collection of such tax and for the distribution and use of the revenues derived therefrom, making an appropriation and fixing penalties."

Also, by striking out all after the enacting clause and inserting the following in lieu thereof:

"Section 1. That the word 'gasoline' as used in this act shall include the liquids derived from petroleum or natural gas, commonly known and sold as gasoline, and all other liquids by whatever name known and sold, containing any derivatives of petroleum or natural gas, produced, prepared and compounded for the purpose of generating power by means of internal combustion and which may be used for such purposes; provided, however, that the provisions of this act shall not apply to the

sale of kerosene except as to kerosene sold for use in the operation of motor vehicles.

"Sec. 2. The term 'dealer' as herein used shall include any person, firm, association, partnership or corporation, whose business in this state includes the sale of gasoline, not for re-sale, and also, any person, firm, association, partnership or corporation using gasoline in this state upon which a tax has not been paid as herein provided.

"Sec. 3. A state tax of two cents (2c) a gallon or fraction thereof is hereby imposed on all gasoline sold in this state for any purpose whatsoever except for the purpose of re-sale. The tax herein provided shall be collected by the dealer selling gasoline to purchasers who purchase for purposes other than re-sale, and shall be paid by the said dealer into the state treasury in the manner and within the time herein specified and where such gasoline is used as distinguished from 'sold' in the common and ordinary meaning of the word the dealer so using the same shall pay such tax into the state treasury in the manner and time hereinafter specified.

"Sec. 4. The taxes collected under the provisions of this act shall be paid into the state treasury and the state treasurer shall apportion the same as follows:

"(1) Two (2) per cent thereof shall be set aside in a fund to be known as the 'gasoline tax administration fund.'

"(2) Fifty (50) per cent of the remainder shall be credited to the 'primary road fund' and all of the laws of this state relating to the 'primary road fund' shall apply to and govern the allotment and expenditure thereof.

"(3) The remainder thereof shall be apportioned by the state treasurer among the several counties of this state in proportion to the area of said counties and shall quarterly be remitted to the treasurers of the several counties to be credited by the county treasurers to the 'county road cash fund' and expended in the same manner and for the same purpose as the 'county road cash fund.'

"Sec. 5. Every dealer selling gasoline at wholesale or at retail shall, on or before the last day of each month transmit to the state treasurer a statement under oath on such forms as the state treasurer shall prescribe, of the total number of gallons of gasoline sold except such as is sold for the purpose of re-sale during the preceding calendar month and made taxable by this act, and shall at the same time pay to the state treasurer the amount of tax due under the provisions of this act for such preceding calendar month. Where any dealer operates more than one place for the sale of gasoline the report filed by such dealer shall report separately as to each of such places and also as to all. If any such dealer neglects or refuses to make such return at the time and in the manner herein provided or fails to pay the tax at the time and in the manner herein provided, the amount thereof with the addition of ten (10) per centum thereof shall be collected by the state treasurer. In arriving at the amount of taxes due where no report is filed as herein provided, the treasurer of state shall estimate the amount thereof, using such information as is available to him and such estimate shall be con-

clusive for the purpose of collection but the tax payer shall have the right to file an application after the payment of the tax for a refund, if any be due, for all in excess of the amount with penalty which should have been paid. The state shall have a lien on all real and personal property of the dealer failing to report or pay the tax as herein provided, and the amount of the tax with penalties as estimated by the treasurer of state may be certified to any county treasurer for collection as other delinquent taxes.

"Sec. 6. The tax imposed by this act shall be paid by the dealer using gasoline for his or its own use and every dealer is hereby required to procure for each place of business a license from the treasurer of state permitting him to continue, or to engage in said business within the state. The fee for such license shall be three dollars (\$3.00). Upon application for such license and the payment of such fee the treasurer of state shall issue a license to such dealer, which license shall be conspicuously posted at the place of business covered therein.

"Sec. 7. The tax imposed by this act shall be paid by the user and every dealer shall keep conspicuously posted at each place of business where gasoline is sold a statement of the price of the gasoline and the amount of the tax. Any dealer failing to comply with the terms and provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of five (5) dollars for each offense.

"Sec. 8. The treasurer of state or any agent appointed in writing by him is hereby authorized to examine the books and papers of any dealer pertaining to the business made taxable by this act for any purpose connected therewith, but any information gained by the treasurer of state as a result thereof shall be confidential unless the same must necessarily be used in the enforcement of the terms and provisions of this act. Any dealer refusing to permit the treasurer of state or his agent to make such examination or who fails, neglects or refuses to make the returns and to pay the tax herein provided, or who makes any incomplete, false or fraudulent report hereunder, or who does or attempts to do anything whatsoever to avoid a full disclosure of the amount of business done or to avoid the payment of the whole or any part of the tax due shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five dollars (\$5.00) nor more than one thousand dollars (\$1,000.00) or by imprisonment in the county jail not exceeding one (1) year or by both such fine and imprisonment.

"Sec. 9. All salaries, fees, printing and other expenses necessary in carrying out the terms and provisions of this act shall be paid through the office of the auditor of state upon warrants drawn on the 'gasoline tax administration fund.' The necessary employees required shall be employed by the treasurer of state subject to the approval of the executive council.

"Sec. 10. The treasurer of state is specifically charged with the duty of enforcing each and all of the provisions of this act and for the purpose of such enforcement may call upon the county treasurers, the county attorneys and the attorney general for assistance.

"Sec. 11. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional, the decision of the court shall not affect or impair any of the remaining provisions of the act. It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein."

O. L. MEAD.

Senator Kimberly asked to have Senate File No. 562 returned from the committee on charitable, correctional and penal institutions, so that he might withdraw it, under the rules.

The Journal of March 15th was corrected and approved.

On motion of Senator Buser the Senate adjourned until 9 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 17, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Col. L. W. Ainsworth, Secretary of the Senate.

On motion of Senator Ethell rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Newberry for the day, on request of Senator Euser; Senator Haskell for the day, on request of Senator Horchem; Senator Baird for the day, on request of Senator Hale; Senator Hartman for the day, on request of Senator Scott; Senator Price for the day, on request of Senator Shinn; Senator Bergman for the day, on request of Senator Perkins; Senator Romkey for the day, on request of Senator Kimberly; Senator McIntosh for the day, on request of Senator Bowman; Senator Cessna for the day, on request of Senator Browne; Senator Nelson for the day, on request of Senator Browne; Senator Dutcher for the day, on request of Senator Abben.

PETITIONS AND MEMORIALS

Senator Hartman presented a petition from citizens of Iowa, protesting Senate File 508 relative to reforestation. Referred to committee on conservation.

By Senator Goodwin from the Des Moines Chapter Daughters of the American Revolution, urging acceptance of the gift to the university hospital. Referred to committee on appropriations.

By Senator Stoddard from Martha Washington Chapter Daughters of the American Revolution, Sioux City, urging acceptance of the gift to the university hospital. Referred to committee on appropriations.

Petitions from Modern Woodmen of America protesting House File 544 relative to fraternal beneficiary societies were

presented by Senator Hartman from Camp 354, Arlington, and 164, Fayette; by Senator Holdoegel from Camp 2522, Rockwell City, and Camp 3929, Moorland; by Senator Abben from Camp 2249, Rock Valley; by Senator Shinn from Camp 5560, Arion; by Senator Mantz from Camp 2658, Galt, and 3488, Redfield; by Senator Kimberly from Camp 2479, Walcott; and by Senator Gilchrist from Camp 3051, Alta, 2939, Bradgate, and 3589, Humboldt. All were referred to the committee on insurance.

Petitions from the Modern Brotherhood of America endorsing House File 544 were presented by Senator Abben from Lodge 228, Sibley; by Senator Hartman from Lodge 280, Postville, and 239, Lansing; by Senator Stoddard from Lodge 182, Sioux City; by Senator Kimberly from Lodge 22, Walcott; and by Senator Browne from Lodge 151, Miles. All were referred to the committee on insurance.

Petitions from the Brotherhood of American Yeomen endorsing House File No. 544 were presented by Senator Caldwell from Homestead 379, Oskaloosa; by Senator Gilchrist from Homestead 41, Laurens; by Senator Shinn from Homesteads 328, 390, and 373, Missouri Valley, Logan, and Dunlap; by Senator Hartman from Homestead 94, Fayette; by Senator Mantz from Homestead 2073, Linden; by Senator Rees from Homestead 176, Shenandoah; by Senator Kimberly from Homestead 2523, Davenport. All were referred to the committee on insurance.

INTRODUCTION OF BILLS

Senate File No. 632, by Senator Kimberly, a bill for an act to amend chapter seven (7) acts of the Thirty-ninth General Assembly relating to the licensing of chiropractors and the regulation of the practice of chiropractic.

Read first and second times and referred to committee on public health.

Senate File No. 633, by Senator Darting, a bill for an act to repeal section one (1), chapter four hundred twenty-three (423), acts of the Thirty-seventh (37) General Assembly as amended by section thirty-six (36), chapter two hundred seventy-five (275), acts of the Thirty-eighth (38) General Assembly, (C. C. 3079) relating to registering of motor vehicles in garages.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 634, by Senator Smith, a bill for an act to repeal sections two thousand three hundred forty-eight-a (2348-a), two thousand three hundred forty-eight-d (2348-d), and two thousand three hundred forty-eight-g (2348-g) of the supplement to the code, 1913, (C. C. sections 3358, 3361, and 3364) relating to bounties to be paid on groundhogs, gophers, and rattlesnakes caught and killed.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 635, by Senator Smith (Harrison) a bill for an act to amend section eleven (11) of chapter two hundred thirty-seven (237) of the acts of the Thirty-eighth General Assembly (C. C. Sec. 2919) relating to contracts for road work and materials furnished for such work.

Read first and second times and referred to committee on highways.

Senate File No. 636, by Senator Buser, a bill for an act providing that expense incurred by county officials attending state conventions of county officials shall not be paid from county funds.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 637, by Senator Buser, a bill for an act to extend the provisions of section thirteen hundred six-b (1306-b) of the supplement to the code 1913, as amended (C. C. 4054) so as to apply to special charter cities.

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

Senate File No. 638, by Senator Adams, a bill for an act to repeal section sixteen hundred ninety-one (1691) (C. C. 5605) of the code, and enact a substitute in lieu thereof, relating to insurance other than life.

Read first and second times and referred to committee on insurance.

Senator Scott asked that Senate File No. 474 be returned from the committee on judiciary No. 2 so that it might be withdrawn from further consideration.

Senate File No. 562 was read twice and withdrawn by Senator Kimberly from further consideration.

Senate File No. 474 was read twice and withdrawn by Senator Scott.

On motion of Senator Thurston House File No. 360 was made a special order for Thursday, March 22d at 10 a. m.

On motion of Senator Caldwell Senate File No. 273 was made a special order for Tuesday, March 20th at 10 a. m.

Senator Buser moved that the Senate consider bills in their regular place on the calendar instead of making special orders.

The President held that it took a two-thirds vote to make a special order.

Senator Johnston asked that House File No. 287 be withdrawn from the committee on highways and placed on the calendar.

Senator Holdoegel moved that a ten day extension be granted to the committee on highways on handling House File No. 287.

Senator Buser raised the point of order that the rules would have to be amended to extend this time, as it could not be reached by a simple motion.

The President held the point of order not well taken as the rule made provision for extending the time by vote of the Senate.

On the question "Shall the motion be adopted?" the vote was:

Ayes, 18

Abben	Gilchrist	Mantz	Slosson
Adams	Goodwin	Perkins	Stoddard
Banta	Holdoegel	Scott	White
Bowman	Horchem	Shaff	Wichman
Caldwell	Kimberly		

Nays, 17

Brookins	Ethell	Rees	Snook
Browne	Fulton	Shane	Thurston
Buser	Hale	Shinn	Tuck
Campbell	Johnston	Smith	
Darting	Reed		

Absent or not voting, 14

Baird	Dutcher	Mead	Price
Bergman	Hartman	Nelson	Romkey
Brookhart	Haskell	Newberry	
Cessna	McIntosh	Olson	

The motion prevailed and the time was extended.

REPORTS OF COMMITTEES

Senator Mantz submitted the following report:

MR. PRESIDENT: Your committee on educational institutions to which was referred Senate File No. 461, a bill for an act to repeal section two (2), chapter one hundred twenty (120), acts of the Thirty-eighth General Assembly (C. C. 2676), relating to the attendance of deaf and blind children at state schools, and to enact a substitute therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

H. J. MANTZ, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on educational institutions to which was referred Senate File No. 453, a bill for an act to make an appropriation for the completion of the hospital and the plant of the College of Medicine of the State University of Iowa and for the equipping of the same, under the direction of the Iowa State Board of Education, begs leave to report it has had the same under consideration and recommends the same do pass after reference to the appropriations committee.

H. J. MANTZ, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on educational institutions to which was referred House File No. 354, a bill for an act to amend the law as it appears in section two (2) of chapter three hundred eight (308), acts of the Thirty-seventh General Assembly (C. C. sec. 2630), as amended by chapter ninety-eight (98), acts of the Thirty-ninth (39) General Assembly, relating to the education of deaf children, begs leave to report it has had the same under consideration and recommends the same do pass.

H. J. MANTZ, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on educational institutions to which was referred Senate File No. 521, a bill for an act to repeal section twenty-six hundred eighty-two-c (2682-c) supplement to the code, 1913, as amended by chapter one hundred sixty (160), acts of the 37th General Assembly, and to repeal section twenty-six hundred eighty-two-d (2682-d), supplement to the code, 1913, relating to the state board of education and to enact substitutes therefor, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. J. MANTZ, *Chairman*.

On the question "Shall the report be adopted?" the vote was:

Ayes, 22

Abben	Gilchrist	Mantz	Shinn
Adams	Goodwin	Perkins	Slosson
Banta	Hale	Reed	Stoddard
Bowman	Holdoegel	Scott	White
Darting	Horchem	Shaff	Wichman
Fulton	Kimberly		

Nays, 11

Brookins	Campbell	Shane	Thurston
Browne	Ethell	Snook	Tuck
Buser	Johnston	Rees	

Absent or not voting, 16

Baird	Cessna	McIntosh	Olson
Bergman	Dutcher	Mead	Price
Brookhart	Hartman	Nelson	Romkey
Caldwell	Haskell	Newberry	Smith

The report was adopted and the bill indefinitely postponed.

Senator Shinn moved that the Senate adjourn until 10 a. m. Monday.

On the question "Shall the motion prevail and the Senate adjourn?" the vote was:

Ayes, 5

Browne	Campbell	Johnston	Shinn
Buser			

Nays, 30

Abben	Fulton	Perkins	Smith
Adams	Gilchrist	Reed	Snook
Banta	Goodwin	Rees	Stoddard
Bowman	Hale	Scott	Thurston
Brookins	Holdoegel	Shaff	Tuck
Caldwell	Horchem	Shane	White
Darting	Mantz	Slosson	Wichman
Ethell	Olson		

Absent or not voting, 14

Baird	Dutcher	McIntosh	Newberry
Bergman	Hartman	Mead	Price
Brookhart	Haskell	Nelson	Romkey
Cessna	Kimberly		

The motion was lost.

Senator Slosson submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 514, a bill for an act to amend chapter two hundred seventy-five (275), acts of the Thirty-eighth General Assembly, relating to the licensing and regulation of motor vehicles, begs leave to report it has had the same under consideration and returns the bill without recommendation.

J. M. SLOSSON, *Chairman*.

Ordered placed on the calendar.

Also:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 391, a bill for an act to repeal the law as it appears in section eleven (11), chapter two hundred seventy-five (275), and all of chapter three hundred seventy (370), acts of the Thirty-eighth General Assembly, as amended by sections one (1) and nineteen (19), chapter one hundred fifty-nine (159), acts of the Thirty-ninth General Assembly, (C. C. 3054) and to substitute therefor the following, relating to operators' and chauffeurs' licenses, begs leave to report it has had the same under consideration and returns the bill without recommendation.

J. M. SLOSSON, *Chairman*.

Ordered placed on the calendar.

Senator Brookins submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred Senate File No. 543, a bill for an act relating to the pollution of the waters of any stream, waterway, or lake of this state; providing penalties for violation thereof; and providing for the issuance of a writ of injunction to prohibit the same, begs leave to report it has had the same under consideration and recommends the same do pass.

A. T. BROOKINS, *Chairman*.

Ordered passed on file.

Senator Holdoegel submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred House File No. 353, a bill for an act to amend chapter 237, acts of the Thirty-eighth General Assembly (C. C. chapter 7 Title XI) as amended, relating to the construction, improvement and maintenance of highways and providing for the surfacing of roads belonging to secondary road system within cities and towns, begs leave to report it has had the same under consideration and recommends the same be amended as follows and when so amended the bill do pass:

Amend by inserting after the word "city" in line seven (7) of section one (1) of the original bill the words "including cities under special charter."

P. C. HOLDOEGEL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred House File No. 427, a bill for an act requiring counties to give the preference to certain roads in establishing the primary road system of the county, begs leave to report it has had the same under consideration and recommends the same do pass.

P. C. HOLDOEGEL, *Chairman*.

Ordered passed on file.

Senator Abben submitted the following report:

MR. PRESIDENT: Your committee on military affairs to which was re-

ferred Senate File No. 284, 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, begs leave to report it has had the same under consideration and recommends the same be referred to the appropriations committee, with recommendation that same be reported out for passage.

BEN C. ABBEN, JR., *Chairman.*

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on military affairs to which was referred Senate File No. 535, a bill for an act to amend section 433 of the code (C. C. 3345), relating to the burial of indigent soldiers and sailors, begs leave to report it has had the same under consideration and recommends the same do pass.

BEN C. ABBEN, JR., *Chairman.*

Ordered passed on file.

Senator Cessna, submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to whom was referred Senate File No. 594, a bill for an act creating a department of agriculture; providing for the election of a secretary of agriculture, conferring on the department of agriculture the powers and duties now executed by the existing department of agriculture, 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 inserting in lieu thereof the following:

Section 1. Department of Agriculture.

The following administrative agencies of the state and the laws regulating and governing the same are hereby consolidated into one department which shall be known as the state department of agriculture, to wit:

1. The existing department of agriculture as provided in section one thousand six hundred fifty-seven-b (1657-b), supplement to the code, 1913; also all statutory activities and duties now imposed upon the state board of agriculture or upon the secretary thereof, except such activities and duties as relate to the state fair grounds, the improvements thereon, the control and management of such grounds and improvements, and to the conduct and management of the annual state fair.

2. The state weather and crop service department.

3. The dairy and food department, embracing all the administrative agencies heretofore under the control and management of the state dairy and food commissioner.

4. The department of animal health, embracing all the administrative agencies heretofore under the control and management of the commission of animal health.

5. State veterinarian department.

6. State horticultural society.
 7. Iowa corn and small grain growers' association.
 8. Iowa beef and cattle producers' association.
 9. Iowa state dairy association.
 10. State poultry association receiving financial aid from the state.
 11. The hotel license and inspection service heretofore under control and management of the state board of health.
 12. The petroleum oil inspection service.
- Sec. 2. Secretary of agriculture.

The office of secretary of agriculture is hereby created. It shall be the duty of said officer, in addition to any other duty which may be prescribed by law:

1. To encourage, promote and advance the interests of agriculture, including horticulture, live stock industry, dairying, cheese making, poultry raising, bee keeping, forestry, production of wool, and other kindred and allied industries.

2. To promote and devise methods of conducting said industries with the view of increasing production and facilitating an adequate distribution of the same at the least cost to the producer.

3. To compile statistics and information, in cooperation with the federal government, relative to crop production, farm economics, the production and marketing of beef, pork, mutton, wool, poultry, milk, butter, cheese and all other agricultural products, insofar as such statistical information may be deemed of value to agriculture and its allied interests in the state, which statistics, when published, shall constitute the official agricultural statistics of the state.

4. To cooperate with the Iowa state college of agriculture and mechanic arts in all ways that may be beneficial to the agricultural interests of the state.

5. To include in his compilation and publication, the reports of agriculture, horticultural, live stock associations, and other like associations or societies organized for the promotion of the agricultural interests of the state.

Sec. 3. Temporary appointment.

Prior to the final adjournment of the present session of the General Assembly, the Governor shall, with the approval of two-thirds of the Senate in executive session, appoint a secretary of agriculture, who shall hold office from July first (1), nineteen hundred twenty-three (1923), until the second secular day in January, nineteen hundred twenty-five (1925).

Sec. 4. Election.

At each general election, commencing with nineteen hundred twenty-four (1924), there shall be elected by the electors of the state a secretary of agriculture who shall hold office for the period of two years from the second secular day of January following said election.

Sec. 5. Nomination.

All statutes relating or pertaining to the nomination of candidates for state offices, by primary election or by petition, shall apply insofar as practicable, to the nomination of candidates for secretary of agriculture.

Sec. 6. Vacancies.

Vacancies in the office of secretary of agriculture shall be filled by the Governor by appointment. Such appointee shall hold office until the next general election.

Sec. 7. Qualification, bond, and salary.

The secretary of agriculture shall, before entering upon the duties of his office, qualify in the same manner in which officers generally are required to qualify, and shall give bond in the sum of five thousand (\$5,000) dollars, which bond, when approved by the Governor, shall be filed with the secretary of state. The secretary of agriculture shall receive a salary of four thousand (\$4,000) dollars per annum.

Sec. 8. Office and equipment.

The secretary of agriculture shall be provided at the seat of government by the executive council with all necessary offices, supplies and equipment.

Sec. 9. Deputies and assistants.

Said secretary shall have authority, in the performance of his duties, to appoint such deputies and assistants as shall be authorized by law.

Sec. 10. State fair.

Nothing in this act shall be construed as in any manner limiting the authority of the state board of agriculture over the state fair grounds or over the management and control of the state fair held thereon, except that the secretary of agriculture shall be, by virtue of his office, a member of said board.

Sec. 11. Abolition of offices.

On July first (1), nineteen hundred twenty-three (1923), the following official positions are abolished and the incumbents of said positions on said date are ordered to turn over to the secretary of agriculture all books, documents, records and property pertaining to their respective positions, to wit:

1. State dairy and food commissioner.
2. State veterinarian.
3. Commission of animal health.
4. Inspector of petroleum products including the chief oil inspector.

Sec. 12. Duty and power of secretary.

The secretary of agriculture shall receive the matters and things enumerated in the last preceding section, and from and after said date shall be invested with and shall perform and execute all the powers and duties theretofore performed and executed by the several officers enumerated in said last preceding section.

Sec. 13. Hotel license and inspection.

On July first (1), nineteen hundred twenty-three (1923), the state board of health shall deliver to the secretary of agriculture all books, documents, records and property pertaining to the department heretofore known as the hotel license and inspection service, and from and after said date said board of health is relieved of all right or duty to administer said agency.

Sec. 14. Duty and power of secretary.

The secretary of agriculture shall receive the matters and things enumerated in the last preceding section and from and after said date shall be invested with and shall perform and execute all the powers

and duties theretofore performed and executed by the state board of health with reference to said hotel license and inspection service.

Sec. 15. State board of agriculture.

On July first (1), nineteen hundred twenty-three (1923), the state board of agriculture and the secretary thereof shall deliver to the secretary of agriculture all books, documents, records, and property pertaining to the statutory agencies and duties heretofore imposed either upon said board or upon the secretary thereof, except the books, documents, records, and property relating to the state fair grounds, the improvements thereon, and the annual fair held on such grounds. From and after said date the state board of agriculture and the secretary thereof shall be relieved of all right or duty in relation to said surrendered agencies.

Sec. 16. Duty and power of secretary.

The secretary of agriculture shall receive the matters and things enumerated in the last preceding section and from and after said date shall be invested with and shall perform and execute all the powers and duties pertaining to said surrendered agencies as fully and to the same extent as was formerly performed and executed by said board or the secretary thereof.

Sec. 17. Publication clause.

This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Des Moines Register and in the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Also strike out the title and insert in lieu thereof the following:

A BILL FOR

An act to create a department of agriculture, to consolidate thereunder certain governmental agencies and departments, to terminate the term of office and duties of certain officers in effecting said consolidation, to create the office of secretary of agriculture, to provide for the filling of said office and to determine the powers, duties, and compensation of the incumbent.

J. C. TUCK, *Acting Chairman.*

Ordered passed on file.

Senator Darting submitted the following report:

MR. PRESIDENT: Your committee on penal, charitable and correctional institutions to which was referred House File No. 375, a bill for an act to amend section two hundred fifty-four-a-twenty-three (254-a23) supplement to code 1913, (C. C. section 2103), relating to commitments to training schools for girls, begs leave to report it has had the same under consideration and recommends the same do pass.

H. A. DARTING, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on penal, charitable and correctional institutions to which was referred Senate File No. 549, a bill for an

act to compensate Woodbury County, Iowa, for money expended by Woodbury County for the hearing, commitment and transportation of certain insane patients who were charges of the state of Iowa, begs leave to report it has had the same under consideration and recommends the same be referred to the committee on appropriations.

H. A. DARTING, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 438, a bill for an act to amend section 4898 of the supplement to the code, 1913, (C. C. 9008) relating to breaking jail and punishment, begs leave to report it has had the same under consideration and recommends the same do pass.

CARL REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 399, a bill for an act to legalize \$105,000.00 school building bonds dated May 1, 1920, of the independent school district of Greene, Butler county, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

CARL REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 408, a bill for an act to provide for the creation of a lien for advancement made by junior lien holders, begs leave to report it has had the same under consideration and recommends the same do pass.

CARL REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 432, a bill for an act to amend section 1258-c of the supplement to the code, 1913, as amended by chapter 391, acts of the Thirty-ninth General Assembly (C. C. sec. 649), relating to the removal of public officers and to extend the provisions thereof to include appointive officers, begs leave to report it has had the same under consideration and recommends the same do pass.

CARL REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 587, a bill for an act to amend section 1 of chapter 228, acts Thirty-ninth General Assembly (S. C. C. 6534-a1), relating to legalizing acts, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 372, a bill for an act to provide for paying from the general funds of the state compensation for all injuries or death of any law enforcing officer injured or killed while in line of duty or from causes arising out of or sustained from their official employment, except policemen pensioned under the policemen's pension fund, begs leave to report it has had the same under consideration and recommends the same be referred to the appropriations committee with recommendation for passage.

CARL REED, *Chairman*

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 334, a bill for an act to amend section 5008, chapter 11, title 24 of the code (C. C. 8888, 8889) relating to infringement of civil rights providing for a specific penalty for violation thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

CARL REED, *Chairman*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 544, a bill for an act to amend section 288, of the code of 1897, (C. C. 6974), relating to the records and books to be kept by the clerk of the district court, begs leave to report it has had the same under consideration and recommends the same do pass as amended by amendment found on page 850 of the Senate Journal of March 16.

CARL REED, *Chairman*

Ordered passed on file.

Senator Ethell submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 137, a bill for an act to amend, revise, and codify sections thirty-one hundred sixty-one (3161), thirty-one hundred sixty-three (3163), thirty-one hundred seventy-seven (3177), thirty-

one hundred seventy-nine (3179), thirty-one hundred ninety-one (3191), thirty-one hundred ninety-four (3194), thirty-two hundred eight (3208), thirty-two hundred ten (3210), thirty-two hundred thirty-one (3231), sixty-nine hundred eighty-six (6986) and sixty-nine hundred eighty-seven (6987) of the compiled code of Iowa, and sections twenty-five hundred six (2506), thirty-one hundred sixty-two (3162), thirty-one hundred sixty-four (3164), thirty-one hundred seventy-six (3176), thirty-one hundred seventy-eight (3178), thirty-one hundred seventy-eight-a one (3178-a1), thirty-one hundred eighty-seven (3187), thirty-one hundred eighty-eight (3188), thirty-two hundred nine (3209), thirty-two hundred eleven (3211), sixty-nine hundred eighty-three (6983) and sixty-nine hundred eighty-five (6985) of the supplement to said code, relating to compensation of county officers, appointment and compensation of their deputies and the collection and accounting of fees, be amended as follows; and when so amended the bill do pass:

1. Amend by striking out sections one (1) to seventeen (17) of the bill and in lieu thereof insert the following to-wit:

Section 1. Compensation of County Auditor.

Each county auditor shall receive for his annual salary in counties having a population of:

1. Less than fifteen thousand (15,000), seventeen hundred dollars (\$1,700.00).

2. Fifteen thousand (15,000) and less than twenty thousand (20,000), eighteen hundred dollars (\$1,800.00).

3. Twenty thousand (20,000) and less than twenty-five thousand (25,000), eighteen hundred dollars (\$1,800.00).

4. Twenty-five thousand (25,000) and less than thirty thousand (30,000), eighteen hundred dollars (\$1,800.00).

5. Thirty thousand (30,000) and less than thirty-five thousand (35,000), nineteen hundred dollars (\$1,900.00).

6. Thirty-five thousand (35,000) and less than forty thousand (40,000), twenty-one hundred dollars (\$2,100.00).

7. Forty thousand (40,000) and less than fifty thousand (50,000), twenty-five hundred dollars (\$2,500.00).

8. Fifty thousand (50,000) and less than sixty thousand (60,000), twenty-seven hundred fifty dollars (\$2,750.00).

9. Sixty thousand (60,000) and less than seventy thousand (70,000), three thousand dollars (\$3,000.00).

10. Seventy thousand (70,000) or over, thirty-three hundred dollars (\$3,300.00).

11. Over twenty-five thousand (25,000), having a special charter city with a population of five thousand (5,000) or over, when the county auditor prepares and makes up the city tax books for such special charter city, three hundred dollars (\$300.00) in addition to the compensation as fixed by the above schedule.

In counties having two (2) places at which the district court is held five hundred dollars (\$500.00) additional.

(S. C. C. 3162.)

Sec. 2. Compensation of Deputy Auditor and Clerks.

Each deputy auditor shall receive as his annual salary in counties having a population of:

1. Less than fifty thousand (50,000), one-half the amount of the salary of the auditor, but if that amount is less than fifteen hundred dollars (\$1,500.00), the board of supervisors may allow an additional amount to make an aggregate not to exceed said sum.

2. Fifty thousand (50,000) or over, one deputy to be designated by the auditor as chief deputy shall receive one-half the amount of the salary of the auditor, but if that amount is less than seventeen hundred and fifty dollars (\$1,750.00), the board of supervisors may allow an additional amount to make an aggregate not to exceed said sum, and each additional deputy shall receive one-half the amount of the salary of the auditor unless said amount exceeds fifteen hundred dollars (\$1,500.00), in which event the salary shall not exceed said last named sum.

3. In any county having within its limits a city with a population of forty-five thousand (45,000) or over, the salaries of the chief deputy and one to be designated by the auditor as second deputy shall each be sixty-five per cent (65%) of the amount of the salary of the auditor, and each additional deputy shall receive one-half the amount of the salary of the auditor. If more than four (4) deputies are required or additional clerks, the board of supervisors shall fix the amount of their compensation.

(S. C. C. 3164, modified.)

Sec. 3. Compensation of County Treasurer.

Each county treasurer shall receive for his annual salary in counties having a population of:

1. Ten thousand (10,000) and less than fifteen thousand (15,000), seventeen hundred dollars (\$1,700.00).

2. Fifteen thousand (15,000) and less than twenty thousand (20,000), eighteen hundred dollars (1,800.00).

3. Twenty thousand (20,000) and less than twenty-five thousand (25,000), eighteen hundred dollars (\$1,800.00).

4. Twenty-five thousand (25,000) and less than thirty thousand (30,000), eighteen hundred dollars (\$1,800).

5. Thirty thousand (30,000) and less than thirty-five thousand (35,000), nineteen hundred dollars (\$1,900.00).

6. Thirty-five thousand (35,000) and less than forty thousand (40,000), twenty-one hundred dollars (\$2,100.00).

7. Forty thousand (40,000) and less than fifty thousand (50,000), twenty-five hundred dollars (\$2,500.00).

8. Fifty thousand (50,000) and less than sixty thousand (60,000) twenty-seven hundred fifty dollars (\$2,750.00).

9. Sixty thousand (60,000) and less than seventy thousand (70,000) three thousand dollars (3,000.00).

10. Seventy thousand (70,000) and over, thirty-three hundred dollars (\$3,300.00).

11. Over twenty-five thousand (25,000) having a special charter city where the taxes are collected by the county treasurer, three hundred dollars (\$300.00) in addition to the compensation as fixed by the above schedule in this section.

12. Forty thousand (40,000) or over, in which there is a city of the first class, of any form of government, the board of supervisors may allow additional compensation to the county treasurer not to exceed fifty dollars (\$50.00) per annum for each five thousand (5,000) population of such cities.

13. In counties where the district court is held at two (2) different places the county treasurer shall receive five hundred dollars (\$500.00) in addition to the compensation as fixed by the above schedule in this section.

(C. C. 3177; S. C. C. 3176.)

Sec. 4. Compensation of deputy treasurer and clerks.

Each deputy treasurer shall receive as his annual salary in counties having a population of:

1. Less than fifty thousand (50,000), one-half the amount of the salary of the treasurer, but if that amount is less than fifteen hundred dollars (\$1,500.00), the board of supervisors may allow an additional amount to make an aggregate not to exceed said sum.

2. Fifty thousand (50,000) or over, one (1) deputy to be designated by the treasurer as chief deputy shall receive one-half the amount of the salary of the treasurer, but if that amount is less than seventeen hundred and fifty dollars (\$1,750.00), the board of supervisors may allow an additional amount to make an aggregate not to exceed said sum, and each additional deputy shall receive one-half the amount of the salary of the treasurer unless said amount exceeds fifteen hundred dollars (\$1,500.00), in which event the salary shall not exceed said last named sum.

3. In any county having within its limits a city with a population of forty-five thousand (45,000) or over, the salaries of the chief deputy and one to be designated by the treasurer as second deputy shall each be sixty-five per cent (65%) of the amount of the salary of the treasurer, and each additional deputy shall receive one-half the amount of the salary of the treasurer. If more than four (4) deputies are required or additional clerks, the board of supervisors shall fix the amount of their compensation.

(S. C. C. 3178, 3178-a1, modified.)

Sec. 5. Compensation of county recorder.

Each county recorder shall receive for his annual salary in counties having a population of:

1. Less than fifteen (15,000), fifteen hundred dollars (\$1,500.00).

2. Fifteen thousand (15,000) and less than twenty thousand (20,000), sixteen hundred dollars (\$1,600.00).

3. Twenty thousand (20,000) and less than twenty-five thousand (25,000), seventeen hundred dollars (\$1,700.00).

4. Twenty-five thousand (25,000) and less than thirty thousand (30,000), eighteen hundred dollars (\$1,800.00).

5. Thirty thousand (30,000) and less than thirty-five thousand (35,000), eighteen hundred fifty dollars (\$1,850.00).

6. Thirty-five thousand (35,000) and less than forty thousand (40,000), nineteen hundred dollars (\$1,900.00).

7. Forty thousand (40,000) and less than fifty thousand (50,000), nineteen hundred fifty dollars (\$1,950.00).

8. Fifty thousand (50,000) and less than sixty thousand (60,000), two thousand dollars (\$2,000.00).

9. Sixty thousand (60,000) and less than seventy thousand (70,000), twenty-two hundred dollars (\$2,200.00).

10. Seventy thousand (70,000) and less than ninety thousand (90,000), twenty-four hundred dollars (\$2,400.00).

11. Ninety thousand (90,000) and over, twenty-seven hundred dollars (\$2,700.00).

12. In any county where a recorder's office is kept in two (2) different places the recorder shall receive five hundred dollars (\$500.00) in addition to the compensation as fixed by the above schedule.

(S. C. C. 3187.)

Sec. 6. Compensation of deputy recorder and clerks.

Each deputy recorder shall receive as his annual salary in counties having a population of:

1. Less than fifty thousand (50,000), one-half the amount of the salary of the recorder, but if that amount is less than fifteen hundred dollars (\$1,500.00) the board of supervisors may allow an additional amount to make an aggregate not to exceed said sum.

2. Fifty thousand (50,000) or over, one deputy to be designated by the recorder as chief deputy shall receive one-half the amount of the salary of the recorder, but if that amount is less than seventeen hundred fifty dollars (\$1,750.00), the board of supervisors may allow an additional amount to make an aggregate not to exceed said sum, and each additional deputy shall receive one-half the amount of the salary of the recorder unless said amount exceeds fifteen hundred dollars (\$1,500.00), in which event the salary shall not exceed said last named sum.

3. In any county having within its limits a city with a population of forty-five thousand (45,000) or over, the salaries of the chief deputy and one to be designated by the recorder as second deputy shall each receive sixty-five per cent (65%) of the amount of the salary of the recorder and each additional deputy shall receive one-half the amount of the salary of the recorder. If more than four (4) deputies are required or additional clerks, the board of supervisors shall fix the amount of their compensation.

(S. C. C. 3188, modified.)

Sec. 7. Compensation of sheriff.

Each sheriff shall receive for his annual salary in counties having a population of:

1. Less than fifteen thousand (15,000), sixteen hundred dollars (\$1,600.00).

2. Fifteen thousand (15,000) and less than twenty thousand (20,000), seventeen hundred dollars (\$1,700.00).

3. Twenty thousand (20,000) and less than twenty-five thousand (25,000), seventeen hundred dollars (\$1,700.00).

4. Twenty-five thousand (25,000) and less than thirty-five thousand (35,000), eighteen hundred dollars (\$1,800.00).

5. Thirty-five thousand (35,000) and less than forty thousand (40,000), nineteen hundred dollars (\$1,900.00).

6. Forty thousand (40,000) and less than fifty thousand (50,000), two thousand dollars (\$2,000.00).

7. Fifty thousand (50,000) and less than sixty thousand (60,000), twenty-two hundred dollars (\$2,200.00).

8. Sixty thousand (60,000) and less than seventy thousand (70,000), twenty-four hundred dollars (\$2,400.00).

9. Seventy thousand (70,000) and over, twenty-six hundred dollars (\$2,600.00).

10. In any county in which district court is held in two (2) places, three hundred dollars (\$300.00) per annum in addition to the foregoing schedule.

11. In any county where the sheriff is not furnished a residence by the county an additional sum of three hundred dollars (\$300.00) per annum.

(C. C. 3210; S. C. C. 3209.)

Sec. 8. Compensation of Deputy Sheriff.

Each deputy sheriff shall receive as his annual salary in counties having a population of:

1. Less than fifty thousand (50,000), and in any county where district court is held in but one (1) place, not to exceed fifteen hundred dollars (\$1,500.00), fixed by the board of supervisors.

2. Fifty thousand (50,000) or over, sixty-five per cent (65%) of the amount of salary of the sheriff to be paid to the one designated by the sheriff as chief deputy, but in the event such amount exceeds eighteen hundred dollars (\$1,800.00), then to be reduced to said sum.

3. In any county where district court is held in two (2) places for the chief deputy and for any deputy other than the chief deputy in charge of the office where such court is held outside the county seat, sixty-five per cent (65%) of the amount of the salary of the sheriff.

(S. C. C. 3211.)

Sec. 9. Compensation of County Attorney.

Each county attorney shall receive as his annual salary in counties having a population of:

1. Less than fifteen thousand (15,000), one thousand dollars (\$1,000.00).

2. Fifteen thousand (15,000) and under twenty-five thousand (25,000), fourteen hundred dollars (\$1,400.00).

3. Twenty-five thousand (25,000) and under thirty-five thousand (35,000), sixteen hundred dollars (\$1,600.00).

4. Thirty-five thousand (35,000) and under forty-five thousand (45,000), eighteen hundred dollars (\$1,800.00).

5. Forty-five thousand (45,000) and under fifty-five thousand (55,000), two thousand dollars (\$2,000.00).

6. Fifty-five thousand (55,000) and under sixty-five thousand (65,000), twenty-two hundred dollars (\$2,200.00).

7. Sixty-five thousand (65,000) and over, twenty-two hundred dollars (\$2,200.00).

8. The attorney fees allowed in suits for the county on written instruments, including school fund mortgages, foreclosed, and attorney fees allowed in criminal cases.

9. In any county where district court is held in two (2) places, an additional sum of five hundred dollars (\$500.00).

(C. C. 3194.)

Sec. 10. Compensation of Assistant County Attorney.

Assistant county attorneys shall receive as their salary in counties having a population of:

1. Less than thirty-six thousand (36,000) no compensation.
2. Thirty-six thousand (36,000) and less than forty-five thousand (45,000), one thousand dollars (\$1,000.00).
3. Forty-five thousand (45,000) and less than ninety-five thousand (95,000), fifteen hundred dollars (\$1,500.00).
4. Ninety-five thousand (95,000) and over, two thousand dollars (\$2,000.00).

(C. C. 3191.)

Sec. 11. Compensation of Clerk of District Court.

Each clerk of the district court shall receive as his annual salary in counties having a population of:

1. Less than fifteen thousand (15,000) seventeen hundred dollars (\$1,700.00).
2. Fifteen thousand (15,000) and less than twenty thousand (20,000), eighteen hundred dollars (\$1,800.00).
3. Twenty thousand (20,000) and less than twenty-five thousand (25,000), eighteen hundred dollars (\$1,800.00).
4. Twenty-five thousand (25,000) and less than thirty thousand (30,000), eighteen hundred dollars (\$1,800.00).
5. Thirty thousand (30,000) and less than thirty-five thousand (35,000), nineteen hundred dollars (\$1,900.00).
6. Thirty-five thousand (35,000) and less than forty thousand (40,000), twenty-one hundred dollars (\$2,100.00).
7. Forty thousand (40,000) and less than fifty thousand (50,000), twenty-five hundred dollars (\$2,500.00).
8. Fifty thousand (50,000) and less than sixty thousand (60,000), twenty-seven hundred fifty dollars (\$2,750.00).
9. Sixty thousand (60,000) and less than sixty-five thousand (65,000), three thousand dollars (\$3,000.00).
10. Sixty-five thousand (65,000) and over, thirty-three hundred dollars (\$3,300.00).

11. In any county where the district court is held in two (2) places four hundred dollars (\$400.00) additional.

(S. C. C. 6983)

Sec. 12. Compensation of Deputy Clerk.

Each deputy clerk shall receive as his annual salary in counties having a population of:

1. Less than fifty thousand (50,000), one-half the amount of the salary of the clerk, but if that amount is less than fifteen hundred dollars (\$1,500.00), the board of supervisors may allow an additional amount to make an aggregate not to exceed said sum.
2. Fifty thousand (50,000) or over, one deputy to be designated by the clerk as chief deputy shall receive one-half the amount of the salary of

the clerk, but if that amount is less than seventeen hundred and fifty dollars (\$1,750.00), the board of supervisors may allow an additional amount to make an aggregate not to exceed said sum, and each additional deputy shall receive one-half the amount of the salary of the clerk unless said amount exceeds fifteen hundred dollars (\$1,500.00), in which event the salary shall not exceed said last named sum.

3. In any county having within its limits a city with a population of forty-five thousand (45,000) or over, the salaries of the chief deputy and one to be designated by the clerk as second deputy shall each be sixty-five per cent (65%) of the amount of the salary of the clerk, and each additional deputy shall receive one-half the amount of the salary of the clerk. If more than four (4) deputies are required or additional clerks, the board of supervisors shall fix the amount of the compensation.

4. In any county in which the district court is held in two (2) places, the deputy having charge of the office where said court is held outside the county seat, shall receive one-half the amount of the salary of the clerk.

(C. C. 6986; S. C. C. 6985.)

Sec. 13. Salaries Payable in Monthly Installments.

The salaries fixed by the foregoing sections of this chapter shall be paid out of the general fund of the county in twelve (12) equal installments, one on the first day of each calendar month.

(C. C. 3194.)

Sec. 14. Compensation of Coroner—Fees.

The coroner is entitled to charge and receive as his compensation the following fees, which shall be paid out of the county treasury when they cannot be obtained from the estate of the deceased.

1. For a view of each body upon which an inquest is held, ten dollars (\$10.00).

2. For a view of each body upon which no inquest is held, five dollars (\$5.00).

3. For issuing each subpoena, warrant, or order for a jury, twenty-five cents (25c).

4. For docketing each case, one dollar (\$1.00).

5. For each mile traveled to and returning from an examination or inquest, ten cents (10c).

6. For taking down in writing the evidence of witnesses, when no stenographer is employed as hereinbefore provided, ten cents (10c) per one hundred (100) words.

7. For returning a copy of the verdict with minutes of the testimony to the state inspector of mines, as provided by law, three dollars (\$3.00).

8. For all other services, the same fees as are allowed sheriffs in similar cases, to be paid in like manner.

(C. C. 3231.)

Sec. 15. When Act Effective.

The foregoing provisions fixing the salaries of county officers, their deputies and clerks shall be in force and effect from and after June thirtieth (30), nineteen hundred twenty-three (1923).

(S. C. C. 2506, 3162, 3164, 3176, 3178, 3187, 3188, 3209, 3211, 6983, 6985.)

2. Also amend by renumbering sections eighteen (18) to twenty-six (26) inclusive as sections sixteen (16) to twenty-four (24) inclusive.

JOHN J. ETHELL, *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. 594, a bill for an act to amend section five thousand seven hundred eighteen-a18 (5718-a18) of the supplement to the code, 1913, (C. C. 2247), relating to the power of the board of parole to grant paroles.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 576, a bill for an act making it unlawful for officers of counties, cities, towns, townships and school corporations to sell bonds issued by such county, city, town, township or school corporation for less than par or to pay any commission for the sale of the same and providing a penalty for its violation.

Also, 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 repeal section one (1), chapter one hundred thirty-eight (138), acts of the Thirty-seventh General Assembly (C. C. sec. 3617), and to enact a substitute therefor, relating to restricted residence districts in cities.

Also, 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 making appropriation for carrying out the provisions of chapter two hundred ninety-nine (299), acts of the Thirty-eighth General Assembly (C. C. Sec. 1286), relating to public health.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 435, a bill for an act to amend section forty-seven hundred fifty-eight (4758) of the code of 1897 relating to ravishment of imbecile females, and providing punishment therefor.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 512, a bill for an act to amend section two thousand three hundred eighty-two (2382) of the supplemental supplement to the code of Iowa, 1915, as amended by chapter two hundred forty-eight (248) section one (1), acts of the Thirty-eighth General Assembly, (C. C. 914) prohibiting the manufacture, possession or use of instruments or materials used in the manufacture of intoxicating liquors.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 290, a bill for an act to repeal section two thousand four hundred sixty-one-m (2461-m) of the supplemental supplement to the code, 1915 (C. C. Sec. 1024), and to enact a substitute therefor defining persistent violators of the intoxicating liquor laws and fixing penalties for such violations.

Also, that the House has amended and concurred in Senate amendments to House File No. 270, a bill for an act to make an emergency appropriation for the construction of an Armory to take the place of the one destroyed by fire at the Iowa State College of Agriculture and Mechanic Arts.

Also, that the Speaker of the House has appointed as a second conference committee on Senate File 225, a bill for an act to amend, revise and codify sections six thousand nine hundred seventy-two (6972), six thousand nine hundred eighty (6980), and six thousand nine hundred eighty-two (6982) of the compiled code of Iowa, relating to the clerk of the district court, Representatives Scott of Fremont, Strippel, Gilmore and Lovrien.

Also, that the House returns herewith as requested Senate File 388, a bill for an act to repeal chapter two hundred eighteen (218), (S. C. C. 39-a1, 39-a2, 39-a3, 39-a4, 39-a5, 39-a6), acts of the Thirty-ninth General Assembly and sections one hundred eighty-two (182) and one hundred eighty-three (183) of the code, 1897, (C. C. 40, 41) relating to the re-trenchment and reform committee, and to vest certain authority exercised by this committee in the Executive Council.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 479, a bill for an act making appropriation for carrying out the provisions of chapter two hundred ninety-nine (299), acts of the Thirty-eighth General Assembly (C. C. Sec. 1286), relating to public health.

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

House File No. 433, a bill for an act to repeal section one (1), chapter one hundred thirty-eight (138), acts of the Thirty-seventh General Assembly (C. C. Sec. 3617), and to enact a substitute therefor, relating to restricted residence districts in cities.

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

House File No. 576, a bill for an act to make it unlawful for officers of counties, cities, towns, townships and school corporations to sell bonds issued by such county, city, town, township or school corporation for less than par or to pay any commission for the sale of the same and providing a penalty for its violation.

for their proper share of the costs of such open and closed mains and
Read first and second times and referred to committee on banks.

House File No. 594, a bill for an act to amend section five thousand seven hundred eighteen-a18 (5718-a18) of the supplement to the code, 1913, (C. C. 2247), relating to the power of the board of parole to grant paroles.

Read first and second times and referred to committee on judiciary No. 1.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate Files Nos. 286, 265, and 309.

AN APPRECIATION FROM MRS. CHASE

The following letter was received from Mrs. D. C. Chase:

Mr. John Hammill, President of the Senate: Dear Mr. Hammill: We would like to express to the senators of the Fortieth General Assembly our sincere appreciation of the resolutions of condolence and sympathy sent at the time of our great loss. It is very precious to us to know Mr. Chase was esteemed and loved by his fellow senators. Accept our thanks also for the beautiful wreath. Very sincerely,

MRS. D. C. CHASE.
D. C. CHASE, JR.

Webster City, March 16th.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports it has on this 16th day of March, 1923, sent to the governor for his approval: Senate Files Nos. 319, 496 and 343.

F. C. GILCHRIST, *Chairman*.

The report was adopted.

Senator Buser moved that action on all bills carrying a report for indefinite postponement be deferred until Monday.

Senator Campbell refused to yield the floor for the motion.

By unanimous consent the floor was yielded to Senator Buser to put his motion, after which if the motion lost the floor was to then be conceded to Senator Campbell.

SENATE FILE NO. 388 RECONSIDERED

Senator Smith moved that the Senate reconsider the vote by which Senate File No. 388 passed the Senate, which motion prevailed.

Senator Smith moved that the Senate reconsider the vote by which Senate File 388 passed to its third reading, which motion prevailed.

Senator Smith offered the following amendment and moved its adoption:

Amend by adding as section 3 the following:

"Sec. 3. This act being deemed of immediate importance shall be in force and take effect from and after its passage and publication in the Des Moines Capital and the Des Moines Daily News, newspapers published in the city of Des Moines, Iowa."

The amendment was adopted.

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

Senator Smith invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 26

Abben	Caldwell	Kimberly	Shinn
Adams	Campbell	Mead	Slosson
Bowman	Ethell	Perkins	Smith
Brookhart	Fulton	Reed	Snook
Brookins	Gilchrist	Rees	Stoddard
Browne	Goodwin	Shane	Thurston
Buser	Johnston		

Nays, 10

Banta	Horchem	Perkins	Wichman
Hale	Mantz	Scott	
Holdoegel	Olson	White	

Absent or not voting, 14

Baird	Dutcher	Nelson	Romkey
Bergman	Hartman	Newberry	Shaff
Cessna	Haskell	Price	Tuck
Darting	McIntosh		

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

THIRD READING OF BILLS

On motion of Senator Slosson House File No. 431, a bill for an act to amend section one thousand nine hundred eighty-nine-a two

(1989-a2) of the supplement to the code, 1913, as amended by chapter three hundred forty-four (344) acts of the Thirty-seventh General Assembly, and chapter 141, acts of the Thirty-eighth General Assembly, and chapter 206, acts of the Thirty-ninth General Assembly (C. C. 4837), relating to proceedings to establish levees, ditches and drainage districts, 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 inserting the word "district" immediately after the word "improvement" in line 9.

The bill was read for information:

Senator Slosson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33

Abben	Caldwell	Holdoegel	Reed
Adams	Campbell	Horchem	Scott
Banta	Darting	Johnston	Shaff
Bowman	Ethell	Kimberly	Shane
Brookhart	Fulton	Mantz	Shinn
Brookins	Gilchrist	Mead	Slosson
Browne	Goodwin	Olson	Snook
Buser	Hale	Perkins	Stoddard
			Thurston

Nays, none.

Absent or not voting, 16

Baird	Hartman	Newberry	Smith
Bergman	Haskell	Price	Tuck
Cessna	McIntosh	Rees	White
Dutcher	Nelson	Romkey	Wichman

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

On motion of Senator Perkins Senate File No. 554, a bill for an act to amend section six hundred sixty-a, chap. 2, title 5, of the supplement to the code 1913, (C. C. 3530), relating to the deposit of funds of towns and cities, 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:

Amend by inserting the words "and special charter cities" after the

word "towns" in line six (6), and by changing the first word in said line from "word" to "words".

The amendment was adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 34

Abben	Darting	Mantz	Shinn
Adams	Ethell	Mead	Slosson
Banta	Fulton	Olson	Smith
Brookhart	Gilchrist	Perkins	Snook
Brookins	Goodwin	Reed	Stoddard
Browne	Hale	Scott	Thurston
Buser	Holdoegel	Shaff	White
Caldwell	Horchem	Shane	Wichman
Campbell	Kimberly		

Nays, none.

Absent or not voting, 15

Baird	Dutcher	McIntosh	Rees
Bergman	Hartman	Nelson	Romkey
Bowman	Haskell	Newberry	Tuck
Cessna	Johnston	Price	

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

On motion of Senator Gilchrist, Senate File No. 281, a bill for an act to empower boards of supervisors to issue drainage warrants and thereby adjust and equalize drainage assessments in certain cases after drainage assessments have been or shall be made, 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 section 1 of the bill and inserting in lieu thereof the following:

"Section 1. That in all cases where drainage districts have been established consisting of open or closed mains which are beneficial to the entire district, and also of laterals; and where assessments have been made or fixed based upon the estimated costs, expenses, costs of construction, fees and damages for improvements which are beneficial to the entire district and also for the estimated costs, expenses, costs of construction, fees and damages for such laterals; and where the laterals may be or were afterwards actually constructed for a materially less amount than was so estimated for such laterals (including the costs, expenses, costs of construction, fees and damages pertaining thereto), and where the lands to be benefited by the laterals have been assessed

outlets; and where such difference between such estimated cost of the lateral and such actual cost thereof is capable of ascertainment, either by reference to the report of the commission which was appointed to inspect and classify the lands benefited, or in some other manner, then the board of supervisors or joint board of supervisors or other officers having control of such drainage district shall be, and hereby are, authorized and directed to return to the several owners of the land benefited and assessed for such laterals the respective proportional parts of such excess assessments made for such lateral by the issuance of warrants drawn upon the district fund."

Senator Gilchrist offered the following amendment to the committee amendment and moved its adoption:

Amend the amendment offered by the committee by striking therefrom in lines 20 and 21 of the amendment the following: "several owners of the land benefited and assessed for such laterals", and inserting in lieu thereof the following: "party or parties who owned the land benefited and assessed for such laterals at the time the assessment was fixed and levied by the board or boards of supervisors".

The amendment was adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 35

Abben	Campbell	Johnston	Shane
Adams	Darting	Kimberly	Shinn
Banta	Ethell	Mantz	Slosson
Bowman	Fulton	Mead	Smith
Brookhart	Gilchrist	Olson	Snook
Brookins	Goodwin	Perkins	Stoddard
Browne	Hale	Reed	Thurston
Buser	Holdoegel	Rees	Wichman
Caldwell	Horchem	Scott	

Nays, none.

Absent or not voting, 14

Baird	Hartman	Newberry	Shaff
Bergman	Haskell	Price	Tuck
Cessna	McIntosh	Romkey	White
Dutcher	Nelson		

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Gilchrist offered the following amendment to the title and moved its adoption:

Amend the title by striking from line 4 the words "or shall be".

The amendment was adopted and the title as amended was agreed to.

Senator Gilchrist moved that the vote by which the bill passed be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Holdoegel, Senate File No. 538, a bill for an act to amend section 3593 of the compiled code of Iowa, relating to the cleaning of streets, the establishment of sanitary districts and providing for the levy of an annual tax for the purpose of carrying out the provisions of this act and the disbursement of same, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 36

Abben	Campbell	Johnston	Shane
Adams	Darting	Kimberly	Slosson
Banta	Ethell	Mantz	Snook
Bowman	Fulton	Mead	Stoddard
Brookhart	Gilchrist	Perkins	Thurston
Brookins	Goodwin	Reed	Tuck
Browne	Hale	Rees	White
Buser	Holdoegel	Scott	Wichman
Caldwell	Horchem	Shaff	

Nays, none.

Absent or not voting, 13

Baird	Hartman	Newberry	Romkey
Bergman	Haskell	Olson	Shinn
Cessna	McIntosh	Price	
Dutcher	Nelson		

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

Senator Holdoegel moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

COMPARATIVE SCHEDULE OF COUNTY OFFICERS' SALARIES

On request of Senator Ethell the following schedule was ordered printed in the Journal.

COUNTY AUDITOR

	1917	Present	Amended S. F. 137
Population	Salaries	Salaries	Salaries
Less than 10,000.....	\$1,400.00	\$1,700.00	.....
10,000 to 15,000.....	1,500.00	1,800.00	\$1,700.00

15,000 to 20,000.....	1,600.00	1,900.00	1,800.00
20,000 to 25,000.....	1,700.00	2,000.00	1,800.00
25,000 to 30,000.....	1,800.00	2,100.00	1,800.00
30,000 to 35,000.....	1,900.00	2,200.00	1,900.00
35,000 to 40,000.....	2,100.00	2,400.00	2,100.00
40,000 to 50,000.....	2,500.00	2,800.00	2,500.00
50,000 to 60,000.....	2,700.00	3,050.00	2,750.00
60,000 to 65,000.....	3,000.00	3,300.00	3,000.00
65,000 or over.....	3,000.00	3,400.00	.....
70,000 or over.....	3,300.00	.....	3,300.00

COUNTY TREASURER

Less than 10,000.....	\$1,400.00	\$1,700.00	.....
10,000 to 15,000.....	1,500.00	1,800.00	\$1,700.00
15,000 to 20,000.....	1,600.00	1,900.00	1,800.00
20,000 to 25,000.....	1,700.00	2,000.00	1,800.00
25,000 to 30,000.....	1,800.00	2,100.00	1,800.00
30,000 to 35,000.....	1,900.00	2,200.00	1,900.00
35,000 to 40,000.....	2,100.00	2,400.00	2,100.00
40,000 to 50,000.....	2,500.00	2,800.00	2,500.00
50,000 to 60,000.....	2,750.00	3,050.00	2,750.00
60,000 to 65,000.....	3,000.00	3,300.00	3,000.00
65,000 or over.....	3,000.00	3,400.00	.....
70,000 or over.....	3,300.00	.....	3,300.00

COUNTY RECORDER

Less than 15,000.....	\$1,200.00	\$1,600.00	\$1,500.00
15,000 to 20,000.....	1,400.00	1,700.00	1,600.00
20,000 to 25,000.....	1,400.00	1,800.00	1,700.00
25,000 to 30,000.....	1,500.00	1,900.00	1,800.00
30,000 to 35,000.....	1,500.00	2,000.00	1,850.00
35,000 to 40,000.....	1,600.00	2,100.00	1,900.00
40,000 to 50,000.....	1,600.00	2,200.00	1,950.00
50,000 to 60,000.....	1,800.00	2,300.00	2,000.00
60,000 to 70,000.....	2,000.00	2,400.00	2,200.00
70,000 to 90,000.....	2,500.00	2,500.00	2,400.00
90,000 or over.....	3,000.00	3,100.00	2,700.00

COUNTY SHERIFF

Less than 15,000.....	\$1,400.00	\$1,700.00	\$1,600.00
15,000 to 20,000.....	1,500.00	1,800.00	1,700.00
20,000 to 25,000.....	1,600.00	1,900.00	1,700.00
25,000 to 30,000.....	1,700.00	2,000.00	1,800.00
30,000 to 35,000.....	1,700.00	2,000.00	1,800.00
35,000 to 40,000.....	1,900.00	2,100.00	1,900.00
40,000 to 50,000.....	2,000.00	2,200.00	2,000.00
50,000 to 60,000.....	2,200.00	2,400.00	2,200.00
60,000 to 65,000.....	2,400.00	2,600.00	2,400.00

65,000 or over.....	2,400.00	2,800.00	.....
70,000 or over.....	2,600.00	.....	2,600.00

COUNTY ATTORNEY

Less than 15,000.....	\$ 900.00	\$1,100.00	\$1,000.00
15,000 to 25,000.....	1,000.00	1,400.00	1,400.00
25,000 to 35,000.....	1,200.00	1,700.00	1,600.00
35,000 to 45,000.....	1,500.00	2,000.00	1,800.00
45,000 to 55,000.....	1,750.00	2,200.00	2,000.00
55,000 to 65,000.....	2,000.00	2,500.00	2,200.00
65,000 or over.....	2,500.00	3,000.00	2,200.00

COUNTY CLERK

Less than 10,000.....	\$1,400.00	\$1,700.00	.....
10,000 to 15,000.....	1,500.00	1,800.00	\$1,700.00
15,000 to 20,000.....	1,600.00	1,900.00	1,800.00
20,000 to 25,000.....	1,700.00	2,000.00	1,800.00
25,000 to 30,000.....	1,800.00	2,100.00	1,800.00
30,000 to 35,000.....	1,900.00	2,200.00	1,900.00
35,000 to 40,000.....	2,100.00	2,400.00	2,100.00
40,000 to 50,000.....	2,500.00	2,800.00	2,500.00
50,000 to 60,000.....	2,750.00	3,050.00	2,750.00
60,000 to 65,000.....	3,000.00	3,300.00	3,000.00
65,000 or over.....	3,300.00	3,400.00	3,300.00

SENATORS KENYON AND RAWSON ADDRESS SENATE

Senator Stoddard moved that a committee of three be appointed to invite ex-Senators Kenyon and Rawson to address the Senate.

The motion prevailed and the President appointed as such committee Senators Stoddard, Perkins and Goodwin.

Senators Rawson and Kenyon were escorted to the desk.

Senator Rawson addressed the Senate in part as follows:

Members of the Senate: You know that my part in campaigns has not been to make speeches. All I have had to do was to make the dates for the other fellow. I remember one of the instructions I always used to get from Billy Kenyon was: "You do the outside work and I will do the talking." I will not say any more as I know you will adjourn at twelve o'clock and I know that the other fellow will make the speech for me."

Senator Kenyon addressed the Senate in part as follows:

Lieutenant Governor, Senators, Gentlemen, and others: In Washington it was a rule that we could not call Senators "Gentlemen". Every time

we did it we were told it was an infraction of the rules. Still I address you as gentlemen this morning.

I do not know why we have been called up here. It reminds me of the initiation in some of the lodges I have gone into. Senator Rawson and myself were in the back seats of the gallery and were listening with great pleasure to the debates. We wanted to find out if you talk all the time as we did in Washington, or if you really do things. I am not going to make any speech.

A good deal of my life has been devoted to making speeches, and having entered the judicial monastery I am not expected to make speeches. I remember going down to the State University of Missouri for an address. I was a private citizen and thought I could say anything I pleased. I made some reference to the Newberry case, which was very sensational at that time in the United States Senate and the next day my impeachment was demanded from the floor of the Senate, before I had even been sworn in. Consequently I am going to be very discreet in what I say.

However, I am in a little reminiscent frame of mind. A few years ago coming home from the State University of Iowa I sat up in your gallery in almost the same place I sat this morning. That was a good many years ago, I dislike to say how many, as I am still young. I listened to the debates in this body, and I can remember some of those Senators here at that time. There was Senator Ellis, of Clinton County, a great strong character, and I can remember the impression it made on me and it became my one ambition to become a member of this body, but destiny has not been kind enough to me for me to realize that one great ambition.

I believe that the Senate of Iowa legislates for the greatest commonwealth in the greatest country in the world, and that it has power and dignity that is second to nothing in the whole world. In these days of criticism there is not a great deal of pleasure in holding public office. It does not make much difference what you do you will be criticised. But you can remember that probably some day you will not hold public office. I wish the people would think more of the burdens you have to bear. There are too many words of criticism and too few words of commendation. They forget that you are human, and being elected to the State Senate of Iowa, or the United States Senate does not make a man less human.

I think we have in Washington at this time one of the strongest representations Iowa has ever had. Take the House—the head of the great agriculture committee is from Iowa—Haugen. If agriculture does not prosper nothing can prosper.

Then there is the chairman of insular affairs—Judge Towner—and lately signally honored by being appointed Governor of Porto Rico.

Iowa will next year furnish the chairman of the most powerful committee—the ways and means committee—Judge Green of the ninth district.

There are others I might mention. In the Senate of the United States there is that senior senator who has stood for the best things in government and who has done some of the greatest work in the Senate that any senator has ever done—Senator Albert Cummins.

We have a distinguished junior senator. Some people do not seem to

like him. Nevertheless, he is a man who has gone forward, he is a man who has always stood for the common, everyday people of this country. We ought to be proud of our senators.

I am a humble citizen and I can talk to you as I please. We should be proud of our legislature and of the wonderful work it is trying to do for Iowa.

Having been in a neighboring state during the winter I had an opportunity of hearing their legislature debate the question of schools and appropriations and I took great pleasure in reading a paragraph in one of the prominent newspapers in St. Louis, pointing out what Iowa is doing. We do not want any particular economy in Iowa on our educational problems. It is the foundation of this civilization and the best in the whole United States, so as a voter I beg of you to do nothing to cripple in any way the magnificent educational institutions of Iowa.

I have taken enough of your time and with these few remarks I will close. I thank you.

On motion of Senator Shane the remarks of Judge Kenyon and Senator Rawson were ordered printed in the Journal.

Senator Mantz moved that the Senate adjourn until 10 a. m. Monday.

Senator Ethell moved to amend by making the hour 1:30 p. m. today.

The amendment was adopted and the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 466, 337, 305, 385, 359, 422, 530, 271, 350, 435 and 563.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

AFFIDAVIT OF PUBLICATION

Calhoun County, State of Iowa, ss.

I, A. R. Hultman, being first duly sworn, on oath depose and say that I am publisher of the Rockwell City Advocate, a weekly newspaper pub-

lished at Rockwell City in said county of Calhoun, and state of Iowa; that the proposed bill for an act to legalize \$125,000 court house bonds of Calhoun county, Iowa, and to authorize the issuance of \$125,000 refunding bonds of said county for the purpose of refunding said court house bonds, was published in said paper one week, on the following date: to-wit, March 15, 1923.

A. R. HULTMAN.

Subscribed and sworn to by the said A. R. Hultman before me this 16th day of March, A. D. 1923.

(SEAL)

FLOYD B. BECKWITH, *Notary Public*.

LIST OF APPROPRIATION BILLS

To the Members of the Fortieth General Assembly:

The following bills providing for appropriations or authorizing expenditures during the next biennium estimated as indicated have been introduced to date:

S. F. 279 (H. F. 270)	Construction of armory at I. S. C.....	\$160,000.00
S. F. 284	Pension—Frontier Guards of Mitchell's Cavalry	1,440.00
S. F. 314 (H. F. 332)	Drainage in Muscatine and Lousia Counties	75,050.63
S. F. 316 (H. F. 358)	Fireproofing Old Capitol.....	50,000.00
S. F. 317 (H. F. 340)	Maternity and Infancy.....	63,640.80
S. F. 330 (H. F. 352)	Training of teachers.....	100,000.00
S. F. 331	Meusel claim	29.51
S. F. 333 (H. F. 355)	Education of Deaf Children.....	600.00
S. F. 354 (H. F. 373)	Board of Control Institutions.....	1,664,400.00
S. F. 362	Messett claim	2,543.50
S. F. 370 (H. F. 361)	Three normal schools (See Note No. 1)	950,000.00
S. F. 374	Chair and Furniture Industry.....	891.68
S. F. 375	Examination of Bd. of Agriculture, etc...	20,000.00
S. F. 384 (H. F. 371)	Teachers annuity	130,000.00
S. F. 394	Mining camp schools.....	100,000.00
S. F. 395	Young claims	7,500.00
S. F. 398	Jones County prison breach.....	321.90
S. F. 401	Railroad Commission—Maps	14,000.00
S. F. 423	Seward claim	3,500.00
S. F. 441 (H. F. 479)	Bureau Venereal Disease Control.....	50,000.00
S. F. 445 (H. F. 463)	Physical education	20,000.00
S. F. 446	Gardner claim	1,375.50
S. F. 452	Ft. Dodge, Des M. & Southern claim.....	9,408.06
S. F. 453 (H. F. 503)	College of Medicine (Rockefeller).....	900,000.00
S. F. 454 (H. F. 498)	R. R. Valuation	46,666.67
S. F. 458 (H. F. 504)	State University (287, 39th G. A.).....	2,603,294.00
	Iowa State College (287, 39th G. A.)....	2,569,000.00
S. F. 458 (H. F. 504)	State Teachers College (287, 39th G. A.)	796,000.00
	College for the Blind (287, 39th G. A.)..	87,000.00
	School for the Deaf (287, 39th G. A.)....	265,000.00
	State University (289, 39th G. A.).....	500,000.00

	College for the Blind (289, 39th G. A.)..	19,000.00
	School for the Deaf (289, 39th G. A.)....	74,000.00
S. F. 459 (H. F. 499)	State Entomologist	56,000.00
S. F. 460 (H. F. 481)	Department of Agriculture.....	65,000.00
S. F. 462 (H. F. 505)	State University	1,054,000.00
	Iowa State College.....	959,000.00
	State Teachers College.....	138,000.00
	School for the Deaf.....	39 300.00
S. F. 463	Rogers claim	2,000.00
S. F. 464 (H. F. 506)	State University	1,600,000.00
	Iowa State College.....	1,600,000.00
S. F. 465 (H. F. 507)	State University—Dormitories	500,000.00
	Iowa State College, Dormitories.....	500,000.00
S. F. 468	Goose Lake—Drainage assessment.....	80,000.00
S. F. 475 (H. F. 540)	Textbook board	5,000.00
S. F. 482 (H. F. 534)	Tobacco tax—Preliminary expense.....	10,000.00
S. F. 498	Draft Horse Breeders Association.....	10,000.00
S. F. 517	Marker for Scott grave.....	500.00
S. F. 527 (H. F. 448)	Aid to county and district fairs.....	30,000.00
S. F. 530 (H. F. 432)	Inaugural ceremonies—Expense	444.50
S. F. 536	Banoch claim	1,000.00
S. F. 539	Beef Cattle Breeders Assn. (See Note 2)	12,500.00
	State Dairy Association.....	12 500.00
	Corn and Small Grain Growers Assn....	7,500.00
S. F. 540 (H. F. 608)	Schatz claim	5,400.00
S. F. 549 (H. F. 632)	Woodbury County claim.....	899.05
S. F. 566	Metcalf claim	326.95
S. F. 567	Davis County Regulators—Pension.....	5,040.00
S. F. 571 (H. F. 492)	War Roster Commission.....	12,000.00
S. F. 572 (H. F. 488)	Camp Dodge maintenance.....	60,000.00
S. F. 574 (H. F. 669)	Market Reports	19,500.00
S. F. 589	Iowa City claim.....	813.26
H. F. 314	Bonus Board—loan	20,000.00
H. F. 377	Land Title Guaranty Fund.....	250,000.00
H. F. 388	Young claim	410.00
H. F. 398	Vocational Education	120,000.00
H. F. 429	Bacteriological Lab. (addtl.).....	20,000.00
H. F. 443	Lambert claim	171.66
H. F. 449	Vocational Rehabilitation	46,172.90
H. F. 485	Haire claim	89.12
H. F. 486	Judisch claim	70.00
H. F. 490	Commission of Animal Health (addtl.)..	500,000.00
H. F. 491	Land Titles Investigation Board.....	8,000.00
H. F. 502	Supt. of Public Instr. (Teachers Place).	5,000.00
H. F. 509	Training of teachers.....	20,000.00
H. F. 510	Drainage in Emmet county.....	12,597.40
H. F. 513	Bradbury claim	47.79
H. F. 542	Farr claim	70.00
H. F. 549	Ness claim	15,000.00
H. F. 571	Mercy Hospital (CR), et al.—claim....	121.96

H. F. 596	Kurtz claim	219.54
H. F. 604	Rumley-Springer contest	1,254.85
H. F. 609	Lee County claim.....	689.50
H. F. 613	Exec. Council—forgery bond premium.	6,375.00
H. F. 642	Literacy Comm.	9,000.00
H. F. 652	Roberdee claim	7,500.00

Note: 1. H. F. 361 provides for an expenditure of \$475,000.00 during the next biennial period.

Note: 2. H. F. 435 contains same appropriations as S. F. 539 but the bill is different.

Respectfully submitted,

B. M. STODDARD,

Chairman Senate Appropriation Committee.

A. O. HAUGE.

Chairman House Appropriation Committee.

Senator Brookhart moved that the secretary reconstruct Senate File No. 490 from the records, the bill having been lost, which motion prevailed.

The roll was called to ascertain if there was a quorum present. The roll call failed to show the presence of a quorum.

The Journal of March 16th was corrected and approved.

On motion of Senator Buser the Senate adjourned until 9:30 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 19, 1923.

The Senate met in regular session, President Pro Tem John R. Price presiding.

Prayer was offered by Dr. Greene, pastor of the Union Baptist church of Burlington, Iowa.

On motion of Senator Ethell rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Shane for the day, on request of Senator Buser; Senator Abben for the day, on request of Senator Stoddard; Senator Thurston for the day, on request of Senator Campbell; Senator Darting for the day, on request of Senator White; Senator Nelson for the day, on request of Senator Browne; Senator Hartman for the day, on request of Senator Scott; Senator Tuck for the day, on request of Senator Brookhart; Senator Newberry for the remainder of the day, on request of Senator Stoddard.

PETITIONS AND MEMORIALS

Senator Brookins presented a petition from the Women's Civic League of Rockford urging appropriations necessary to the acceptance of the provisions of the Sheppard-Towner act. Referred to the committee on appropriations.

Senator Brookhart presented a petition from the retail merchants of Wellman protesting Senate File 482 proposing a tax on cigars and tobacco. Referred to committee on ways and means.

Senator Gilchrist presented a petition from the Humboldt Women's club endorsing Senate File 317 relative to the Sheppard-Towner act. Referred to committee on appropriations.

Senator Gilchrist presented a petition from citizens of the 50th district protesting Senate File 508 relative to reforestation. Referred to committee on conservation.

Senator Brookhart presented a petition from the Burlington

Teachers' association endorsing the teachers' annuity bill. Referred to committee on schools.

Senator Brookhart presented petitions from the Methodist church, the Methodist Sunday school and the Epworth League of the Methodist church of Winfield asking support for bills proposing state standardization of moving pictures and providing city boards of public welfare. Referred to committee on judiciary No. 1.

Petitions from Modern Woodmen of America protesting House File 544 relative to fraternal beneficiary societies were presented by Senator Brookins from camps at Nora Springs and New Hampton; by Senator Shinn from camps at Missouri Valley and Logan; by Senator Reed from camps at Hesper, Ossian, Elma, Schley, and Fort Atkinson; by Senator Gilchrist from Camp 2624, Renwick; by Senator Slosson from Camp 250, Osage; by Senator Browne from camps at Bellevue and Maquoketa; by Senator Newberry from Camp 537, Guttenburg. All were referred to committee on insurance.

Petitions from the Brotherhood of American Yeomen endorsing House File 544 were presented by Senator Shinn from Homestead 4250, Pisgah; by Senator Gilchrist from Homestead 170, Plover; by Senator Newberry from Homestead 292, McGregor; and by Senator Brookhart from Homesteads 1131 and 532, Wayland and Washington. Referred to committee on insurance.

Petitions from the Modern Brotherhood of America endorsing House File 544 were presented by Senator Brookins from Lodge 206, Ionia; by Senator Slosson from Lodge 990, Forest City; by Senator Newberry from lodges at Strawberry Point, Volga City, Garnavillo, and McGregor; and by Senator Haskell from lodges at Coggan and Alburnette. Referred to committee on insurance.

INTRODUCTION OF BILLS

Senate File No. 639, by Senator Buser, a bill for an act to amend the law as it appears in section thirteen hundred thirty-four-a (1334-a) supplement to the code 1913, (C. C. sec. 4536), and provide for an occupational tax upon common carriers.

Read first and second times and referred to committee on railroads.

Senate File No. 640, by Senator Banta, a bill for an act amending section seventeen hundred and ten (1710), supplement to the code, 1913, as amended by section five (5), chapter four hundred

twenty-eight (428), laws of the Thirty-seventh General Assembly (37th G. A.), and section three (3), chapter three hundred forty-eight (348), laws of the Thirty-eighth General Assembly (38th G. A.), and section one (1), chapter two hundred sixty-one (261), laws of the Thirty-ninth General Assembly (39th G. A.) (S. C. C. 5628), relating to insurance other than life.

Read first and second times and referred to committee on insurance.

Senate File No. 641, by Senator Adams, a bill for an act to repeal section seventeen hundred eighty-eight (1788), supplement to the code, 1913 (C. C. sec. 5512), and section seventeen hundred eighty-nine (1789) of the code (C. C. sec. 5513), relating to assessment life associations, and to enact a substitute therefor in relation to the designation, change, and interest of beneficiaries under assessment policies; and to amend section seventeen hundred ninety-eight-a (1798-a), supplement to the code, 1913, as amended by chapter two hundred thirty-four (234) and chapter four hundred thirteen (413), of the acts of the Thirty-seventh General Assembly, (C. C. sec. 5523), by authorizing the issuance by assessment life associations of certificates or policies of insurance on the legal reserve or level premium plan, and providing for the valuation of such policies, and for the investment and use of funds, and the deposit of securities with the commissioner of insurance.

Read first and second times and referred to committee on insurance.

Senate File No. 642, by Senator Mead, a bill for an act to amend section two thousand five hundred forty-seven-a (2547-a), supplemental supplement to the code, 1915, (C. C. 1116), relating to fishing in the boundary waters.

Read first and second times and referred to committee on fish and game.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that he had signed Senate Files Nos. 496 and 319.

BILLS SIGNED BY THE PRESIDENT

President Pro Tem Price announced that, as president pro tem of the Senate, he had signed in the presence of the Senate, Senate Files 466, 337, 305, 385, 359, 422, 530, 271, 350, 435 and 563.

MESSAGES 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. 568, a bill for an act authorizing the executive council to exchange certain lands belonging to the state for other lands.

Also, 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 repeal sections twenty-seven hundred fifty-seven (2757) supplemental supplement of 1915 to the code (C. C. sec. 2548) and section twenty-seven hundred fifty-eight (2758) of the supplement of 1913 to the code (C. C. sec. 2545) relating to organization of school boards, meetings of the directors, election of officers, reports of the secretaries and treasurers to the board, the qualifications of school officers, extension of the term in certain districts and providing for the filling of vacancies in office and enact a substitute therefor.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 390, a bill for an act to amend section one thousand five hundred sixty-five-c (1565-c) of the supplement to the code, 1913, as amended by chapter two hundred eighty (280) acts of the Thirty-ninth General Assembly (C. C. 3003) relating to the destruction of noxious weeds.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 378, a bill for an act to amend section one (1) chapter one hundred fifty-six (156) acts of the Thirty-seventh General Assembly (C. C. 2578), relating to high school tuition of non-resident pupils in approved schools, to require the secretary of the board to file certified statement of items entering into the cost of such tuition, and to appoint the county superintendent of schools to determine said tuition.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 291, a bill for an act to amend section nineteen hundred eighty-nine-a3 (1989-a3), supplement to the code, 1913, as amended by chapter one hundred thirty-eight (138), acts Thirty-eighth (38) General Assembly (C. C. 4838), relative to drainage.

Also, 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 to amend section one thousand three hundred fourteen (1314) of the code (C. C. 4496), and section one thousand three hundred eighteen (1318) of the code (C. C. 4499), pertaining to the listing and taxation of property.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Johnston moved that action on any bills reported out

for indefinite postponement be deferred until Tuesday, which motion prevailed.

Senator Brookhart moved that in view of the small attendance code revision bills be considered.

President Pro Tem Price held that it would take a two-thirds vote to suspend the rules and take up code revision bills at this time and suggested that the calendar be called and any senator defer action on his bills if he wished and they retain their places on the calendar.

Senator Brookhart withdrew his motion.

On motion of Senator Stoddard House File No. 477, a bill for an act to amend section six hundred forty-two (642) of the code, (C. C. 3511) relating to elections in cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

On the request of Senator Stoddard further action was deferred.

On motion of Senator Mantz, Senate File No. 517, a bill for an act to provide for a marker and fence at the grave of Willson Alexander Scott and providing an appropriation therefor, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 35.

Banta	Cessna	Kimberly	Scott
Bergman	Dutcher	Mantz	Shaff
Bowman	Ethell	Mead	Shinn
Brookhart	Fulton	Newberry	Slosson
Brookins	Gilchrist	Perkins	Snook
Browne	Hale	Price	Stoddard
Buser	Holdoegel	Reed	White
Caldwell	Horchem	Rees	Wichman
Campbell	Johnston	Romkey	

Nays, none.

Absent or not voting, 14.

Abben	Goodwin	Nelson	Smith
Adams	Hartman	Olson	Thurston
Baird	Haskell	Shane	Tuck
Darting	McIntosh		

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

On motion of Senator Horchem, House File No. 355 was substituted for Senate File No. 333.

On motion of Senator Horchem House File No. 355, a bill for an act to make an appropriation in favor of certain independent school districts that during the school year 1921-1922 maintained day schools for deaf children, was taken up and considered having been substituted for Senate File 333.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Banta	Dutcher	Kimberly	Shaff
Bowman	Ethell	Mantz	Shinn
Brookhart	Fulton	Mead	Slosson
Brookins	Gilchrist	Newberry	Snook
Browne	Hale	Perkins	Stoddard
Buser	Holdoegel	Price	White
Campbell	Horchem	Reed	Wichman
Cessna	Johnston	Scott	

Nays, none.

Absent or not voting, 18.

Abben	Darting	Nelson	Shane
Adams	Goodwin	Olson	Smith
Baird	Hartman	Rees	Thurston
Bergman	Haskell	Romkey	Tuck
Caldwell	McIntosh		

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

By unanimous consent Senator Horchem withdrew Senate File No. 333 from further consideration.

On motion of Senator Banta Senate File No. 501, a bill for an act to amend section eight (8) of chapter sixty (60) of the acts of the Thirty-ninth (39th) General Assembly (C. C. supplement, Sec. 499-a14), relating to the penalty for violation of the provisions of the law relating to the counting of ballots of election, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Banta moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Banta	Cessna	Kimberly	Scott
Bergman	Dutcher	Mantz	Shaff
Bowman	Ethell	Mead	Slosson
Brookhart	Fulton	Newberry	Snook
Brookins	Hale	Perkins	Stoddard
Buser	Holdoegel	Price	White
Caldwell	Horchem	Reed	Wichman
Campbell	Johnston	Rees	

Nays, none.

Absent or not voting, 18.

Abben	Gilchrist	Nelson	Shinn
Adams	Goodwin	Olson	Smith
Baird	Hartman	Romkey	Thurston
Browne	Haskell	Shane	Tuck
Darting	McIntosh		

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

On motion of Senator Banta, Senate File No. 502, a bill for an act to provide for the holding of schools of instruction for election boards, 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:

Amend by inserting in line 2 of section 1 after the word "auditor" the words "and county attorney".

The amendment was adopted.

Senator Bergman offered the following amendment and moved its adoption:

Amend by striking the word "five" from line 7 and inserting in lieu thereof the word "ten".

The amendment was adopted.

The bill was read for information.

Senator Banta moved that the reading just had be considered the third reading, which motion prevailed.

Senator Banta invoked Rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 30.

Adams	Dutcher	Kimberly	Romkey
Banta	Fulton	Mantz	Scott
Bergman	Gilchrist	Mead	Shaff
Bowman	Hale	Newberry	Shinn
Brookins	Haskell	Perkins	Slosson
Buser	Holdoegel	Reed	Snook
Caldwell	Horchem	Rees	Wichman
Campbell	Johnston		

Nays, 4.

Browne	Cessna	Price	White
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Absent or not voting, 15.

Abben	Ethell	Nelson	Stoddard
Baird	Goodwin	Olson	Thurston
Brookhart	Hartman	Shane	Tuck
Darting	McIntosh	Smith	

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

On motion of Senator Bergman, Senate File No. 506, a bill for an act to amend section two thousand five hundred fifty-one (2551) supplemental supplement to the code, 1915, (C. C. 1124), as amended by chapter two hundred thirty-three (233), acts of the Thirty-seventh General Assembly and chapter thirty-three (33) acts of the Thirty-ninth General Assembly, relating to the protection of ruffed grouse or pheasant, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Bergman moved that 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	Caldwell	Horchem	Scott
Banta	Cessna	Johnston	Shaff
Bergman	Dutcher	Kimberly	Shinn
Bowman	Fulton	Mantz	Slosson
Brookhart	Gilchrist	Mead	Snook
Brookins	Hale	Newberry	Stoddard
Browne	Haskell	Perkins	White
Buser	Holdoegel	Rees	Wichman

Nays, 1.

Campbell

Absent or not voting, 16.

Abben	Goodwin	Olson	Shane
Baird	Hartman	Price	Smith
Darting	McIntosh	Reed	Thurston
Ethell	Nelson	Romkey	Tuck

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

On motion of Senator Bowman, Senate File No. 329, a bill for an act to amend chapter two hundred thirty-seven (237) of the acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly, and sections eight, thirteen, fourteen, eighteen, and thirty-six (36) of said chapter (C. C. sec. 2916, 2921, 2922, 2928, 2944) relating to the construction, improvement and maintenance of highways so as to provide for the payment of a portion of the cost of graveling any primary road by special assessments and to provide for the improvement of the secondary roads and to provide for the payment of the cost of the improvement of secondary roads by contribution from the county's allotment of the primary road fund, was taken up and considered, having been withdrawn from the committee on highways and ordered on the calendar.

Senator Wichman offered the following amendment and moved its adoption:

I move to amend Senate File No. 329 by renumbering section 4 as section 5 and inserting as section 4 the following:

Sec. 4. In all cases where assessments of 25 per cent for hard surfacing have heretofore been paid by property owners under the provisions of chapter 237 of the Thirty-eighth General Assembly, and amendments thereto, all of the same over and above 10 per cent shall be refunded to such parties out of the motor vehicle portion of the primary fund allotment to the counties in which such payment was made or out of the funds arising from the sale of primary road bonds voted by such counties. The board of supervisors may determine whether such refund shall be made in one sum or in annual installments not exceeding five, and in no case shall interest be allowed on the amounts so refunded.

In case of sale of such adjoining lands prior to making such refund and such assessments have not been paid in full the same shall be paid to the parties interested in proportion to the amount paid or assumed by them respectively.

The amendment was adopted.

Senator Brookins offered the following amendments and moved their adoption:

Amend by striking from line 15 of section 1 and line 18 of section 1 the

word "ten" and inserting in lieu thereof the word "fifteen" and by striking from line 4 of section 4 the words and figures "10 per cent" and inserting in lieu thereof the words and figures "15 per cent".

Also amend by striking from line 12 of section 1 and line 22 of section 1 the word "ninety" and inserting in lieu thereof the word "eighty-five".

The amendments were adopted.

Senator Gilchrist moved that Senate File 329 be made a special order for 10 a. m. Wednesday, which motion prevailed.

On motion of Senator Fulton Senate File No. 621, a bill for an act to amend section eighteen hundred seventy-three (1873) supplement to the code 1913 (C. C. 5801) relating to the publication of statement of condition of banks, a committee bill was taken up and considered.

The bill was read for information.

Senator Fulton moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Adams	Cessna	Horchem	Shaff
Banta	Ethell	Kimberly	Shinn
Bergman	Fulton	Mantz	Slosson
Brookins	Gilchrist	Mead	Snook
Browne	Hale	Perkins	Stoddard
Caldwell	Haskell	Rees	White
Campbell	Holdoegel	Scott	Wichman

Nays, 2.

Brookhart	Buser
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Absent or not voting, 19.

Abben	Goodwin	Newberry	Shane
Baird	Hartman	Olson	Smith
Bowman	Johnston	Price	Thurston
Darting	McIntosh	Reed	Tuck
Dutcher	Nelson	Romkey	

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

On motion of Senator Cessna House File No. 300, a bill for an act to repeal the law as it appears in chapter two hundred thirty-two (232) of the laws of the Thirty-ninth General Assembly, relating to financial statement of school boards and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cessna moved that the reading just had be considered the third reading which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Adams	Caldwell	Horchem	Scott
Banta	Campbell	Kimberly	Shaff
Bergman	Cessna	Mead	Shinn
Brookhart	Ethell	Perkins	Snook
Brookins	Fulton	Price	Stoddard
Browne	Hale	Reed	White
Buser	Haskell	Rees	Wichman

Nays, none.

Absent or not voting, 21.

Abben	Goodwin	Nelson	Slosson
Baird	Hartman	Newberry	Smith
Bowman	Holdoegel	Olson	Thurston
Darting	Johnston	Romkey	Tuck
Dutcher	McIntosh	Shane	
Gilchrist	Mantz		

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

The Journal of March 17th was corrected and approved.

Senator Buser moved that the Senate adjourn until 1:30 p. m.

Senator Stoddard moved to amend by making the hour 9 a. m. Tuesday.

The amendment was lost.

The Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Pro Tem Price presiding.

The roll was called to ascertain whether there was a quorum present.

The roll call revealed the presence of a quorum.

By unanimous consent Senator Romkey withdrew Senate File No. 558 from further consideration.

INTRODUCTION OF BILLS

Senate File No. 643, by Senator Romkey, a bill for an act to provide for the licensing of certain dealers in fruits and vegetables, to regulate such business and to place the enforcement of the act under the supervision of the dairy and food commissioner.

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

Senate File No. 644, by Senator Romkey, a bill for an act legalizing certain contracts awarded by the board of supervisors of Des Moines county, Iowa, and the council of the city of Burlington, Iowa, prior to January 1, 1923, for the hard surfacing of certain roads in said county, and authorizing the issuing of certificates in anticipation of the allotments of primary road fund by said county.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 645, by Senator Romkey; a bill for an act to amend section one (1) of chapter two hundred and ten (210) acts of the Thirty-ninth (39th) General Assembly relating to contracts and maintenance bonds for street and sewer improvements.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 646, by Senator Romkey, a bill for an act to amend section one (1), chapter one hundred and seventy-two (172) laws of the Thirty-seventh General Assembly (C. C. 3923) relating to the improvement by oiling of streets and alleys and parts thereof in cities and towns and the taxing of the cost to property benefited.

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

Senate File No. 647, by Senator Brookhart, a bill for an act to amend section three thousand forty (3040) of the code, 1897 (C. C. sec. 5891) relating to illegal rates of interest and providing for recovery of excess charges and penalty.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 648, by Senator Shinn, a bill for an act to amend the law relating to the state highway commission and to create in lieu of such commission the state highway department; and to provide for the appointment and compensation of its officers, and to

define its duties; and to repeal sections fifteen hundred twenty-seven-s (1527-s) and fifteen hundred twenty-seven-sl (1527-sl) supplemental supplement to the code, 1915 (C. C. sections 2858, 2859) and enact substitutes therefor; and to amend chapter 1-A, title VIII, supplemental supplement to the code, 1915; and to amend section fifteen hundred twenty-seven-s two (1527-s2) supplemental supplement to the code, 1915 (C. C. 2860); and to amend section four (4) of chapter two hundred forty-nine (249) acts of the Thirty-seventh General Assembly (C. C. sec. 2905) and section ten (10) of chapter two hundred thirty-seven (237) acts of the Thirty-eighth General Assembly (C. C. sec. 2918).

Read first and second times and referred to committee on highways.

On motion of Senator Johnston House File No. 646 was substituted for Senate File No. 588.

On motion of Senator Johnston House File No. 646, a bill for an act to legalize certain warrants issued by the board of supervisors of Lucas county, Iowa, having been substituted for Senate File No. 588, was taken up and considered.

The bill was read for information.

Senator Johnston moved that the reading just had be considered the third reading, which motion prevailed.

Senator Johnston invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Adams	Cessna	Kimberly	Scott
Banta	Ethell	Mantz	Shinn
Bergman	Fulton	Mead	Slosson
Bowman	Goodwin	Perkins	Snook
Brookins	Hale	Price	Stoddard
Buser	Haskell	Rees	Wichman
Caldwell	Horchem	Romkey	
Campbell	Johnston		

Nays, none.

Absent or not voting, 20.

Abben	Dutcher	Nelson	Shane
Baird	Gilchrist	Newberry	Smith
Brookhart	Hartman	Olson	Thurson
Browne	Holdoegel	Reed	Tuck
Darting	McIntosh	Shaff	White

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

By unanimous consent Senator Johnston withdrew Senate File No. 588 from further consideration.

On motion of Senator Mead House File No. 369, a bill for an act to legalize an election held on the 30th day of June, 1922, in the town of Denver, county of Bremer, state of Iowa, for the purpose of voting on the proposition to erect a town hall at a cost not to exceed \$7,000.00 and to legalize all acts and proceedings in respect to said election and in respect to the issuance of bonds in said sum of said town, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Mead moved that 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	Campbell	Johnston	Shaff
Banta	Cessna	Kimberly	Shinn
Bergman	Dutcher	Mantz	Slosson
Bowman	Ethell	Mead	Snook
Brookhart	Fulton	Perkins	Stoddard
Brookins	Gilchrist	Price	White
Browne	Goodwin	Rees	Wichman
Buser	Hale	Romkey	
Caldwell	Haskell	Scott	

Nays, none.

Absent or not voting, 15.

Abben	Holdoegel	Newberry	Smith
Baird	Horchem	Olson	Thurston
Darting	McIntosh	Reed	Tuck
Hartman	Nelson	Shane	

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

On motion of Senator Stoddard Senate File No. 611, a bill for an act authorizing the board of supervisors to transfer unexpended balances from bond issues to the general fund of the county, 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 reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Adams	Campbell	Holdoegel	Scott
Banta	Cessna	Horchem	Shaff
Bergman	Dutcher	Johnston	Shinn
Bowman	Ethell	Kimberly	Slosson
Brookhart	Fulton	Mantz	Snook
Brookins	Gilchrist	Mead	Stoddard
Browne	Goodwin	Price	White
Buser	Hale	Rees	Wichman
Caldwell	Haskell	Romkey	

Nays, none.

Absent or not voting, 14.

Abben	McIntosh	Perkins	Smith
Baird	Nelson	Reed	Thurston
Darting	Newberry	Shane	Tuck
Hartman	Olson		

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

On motion of Senator Holdoegel House File No. 457, a bill for an act to legalize \$78,000.00 school building bonds dated August 1st, 1921, of the consolidated independent school district of Moorland, Webster County, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Holdoegel moved that 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	Dutcher	Johnston	Scott
Bergman	Ethell	Kimberly	Shaff
Bowman	Fulton	Mantz	Shinn
Brookhart	Gilchrist	Mead	Slosson
Brookins	Goodwin	Perkins	Snook
Browne	Hale	Price	Stoddard
Buser	Haskell	Rees	Wichman
Caldwell	Holdoegel	Romkey	
Campbell	Horchem		

Nays, none.

Absent or not voting, 16.

Abben	Darting	Newberry	Smith
Baird	Hartman	Olson	Thurston
Banta	McIntosh	Reed	Tuck
Cessna	Nelson	Shane	White

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

Senator Holdoegel moved that the vote by which House File No. 457 passed the Senate be reconsidered, which motion prevailed.

Senator Holdoegel moved that the vote by which House File No. 457 passed to its third reading be reconsidered, which motion prevailed.

Senator Holdoegel offered the following amendment and moved its adoption:

Amend by adding as section 3 the following:

Section 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 the city of Des Moines, Iowa, and the Fort Dodge Messenger, a newspaper published in the city of Fort Dodge, Iowa, without expense to the state.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 34.

Adams	Campbell	Holdoegel	Scott
Banta	Cessna	Horchem	Shaff
Bergman	Dutcher	Johnston	Shinn
Bowman	Ethell	Kimberly	Slosson
Brookhart	Fulton	Mantz	Snook
Brookins	Gilchrist	Mead	Stoddard
Browne	Goodwin	Perkins	Wichman
Buser	Hale	Price	
Caldwell	Haskell	Romkey	

Nays, none.

Absent or not voting, 15.

Abben	McIntosh	Reed	Thurston
Baird	Nelson	Rees	Tuck
Darting	Newberry	Shane	White
Hartman	Olson	Smith	

The amendment was adopted.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Adams	Campbell	Horchem	Shaff
Banta	Cessna	Johnston	Slosson
Bergman	Dutcher	Kimberly	Snook
Bowman	Ethell	Mantz	Stoddard
Brookhart	Fulton	Mead	White
Brookins	Gilchrist	Perkins	Wichman
Browne	Goodwin	Price	
Buser	Hale	Romkey	
Caldwell	Holdoegel	Scott	

Nays, none.

Absent or not voting, 16.

Abben	Haskell	Olson	Shinn
Baird	McIntosh	Reed	Smith
Darting	Nelson	Rees	Thurston
Hartman	Newberry	Shane	Tuck

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

On motion of Senator Brookins Senate File No. 331, a bill for an act to make appropriation for the payment of certain national guard expenses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Brookins moved that 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	Campbell	Horchem	Scott
Banta	Cessna	Johnston	Shaff
Bergman	Dutcher	Kimberly	Shinn
Bowman	Ethell	Mantz	Slosson
Brookhart	Fulton	Mead	Snook
Brookins	Gilchrist	Perkins	Stoddard
Browne	Goodwin	Price	White
Buser	Hale	Rees	Wichman
Caldwell	Haskell		

Nays, none.

Absent or not voting, 15.

Abben	Holdoegel	Olson	Smith
Baird	McIntosh	Reed	Thurston
Darting	Nelson	Romkey	Tuck
Hartman	Newberry	Shane	

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

On the motion of Senator Fulton Senate File No. 629 was referred to the committee on banks.

On motion of Senator Banta Senate File No. 255, a bill for an act to amend, revise, and codify sections one hundred (100), one hundred one (101) and two hundred seventy-five (275) of the compiled code of Iowa, and sections two hundred forty-one-a thirty (241-a30), two hundred forty-one-a fifty-five (241-a55), two hun-

dred forty-one-a sixty-two (241-a62), two hundred forty-one-a sixty-four (241-a64), two hundred forty-one-a sixty-six (241-a66), two hundred forty-one-a seventy-four (241-a74) and two hundred forty-seven-a three (247-a3) of the supplement to said code, relating to reports of public officers, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Brookhart took the chair at 2:30 p. m.

On motion of Senator Haskell further action on Senate File 255 was deferred.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports it has on this 19th day of March, 1923, sent to the Governor for his approval, Senate Files Nos. 466, 350, 271, 563, 530, 422, 359, 385, 305, 337 and 435.

F. C. GILCHRIST, *Chairman*.

Report adopted.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend the committee amendment to Senate File No. 137 by striking out the word "sixty" where same appears in paragraphs eight and nine of sections one, three, five and eleven, and paragraphs seven and eight of section seven and inserting in lieu thereof the word "fifty-eight".

B. J. HORCHEM.

MR. PRESIDENT: I move to amend Senate File 266 by striking out the period after the word "service" in line eight (8) of the printed bill and adding thereto the words "when operating for pecuniary profit".

M. L. BOWMAN.

On motion of Senator Cessna the Senate adjourned until 9 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 20, 1923.

The Senate met in regular session President John Hammill presiding.

Prayer was offered by Col. L. W. Ainsworth, secretary of the Senate.

On motion of Senator Campbell rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Rees for the day, on request of Senator Ethell; Senator Hartman for the day, on request of Senator Scott; Senator Perkins for the day, on request of Senator Scott; Senator McIntosh for the day, on request of Senator Tuck; Senator Smith for the day, on request of Senator Shinn.

PETITIONS AND MEMORIALS

Senator Shaff presented a petition from train and enginemen of Clinton protesting Senate File No. 507 relating to garnishment of wages. Referred to committee on judiciary No. 2.

Senator Price presented a petition from citizens of Marion county endorsing Senate File No. 543 relating to the pollution of state waters. Referred to committee on fish and game.

Petitions from the Brotherhood of American Yeoman endorsing House File No. 544 relative to fraternal beneficiary societies were presented by Senator Nelson from the Yoemen of Atlantic; by Senator Slosson from Homestead 194, Northwood; and by Senator Holdoegel from Homesteads 1066, Fort Dodge, and 184 Barnum.

Senator Nelson presented a petition from the Modern Woodmen of Atlantic protesting House File No. 544, and one from the Modern Brotherhood of America, Cumberland, endorsing House File No. 544.

All were referred to the committee on insurance.

INTRODUCTION OF BILLS

Senate File No. 649, by Senator Wichman, a bill for an act to authorize the executive council to exchange certain lands belonging to the state for other lands located in Hancock County, Iowa.

Read first and second times and referred to committee on board of control.

Senate File No. 650, by Senator Browne, a bill for an act to provide for the supervision and examination of private banks by the superintendent of banking.

Read first and second times and referred to committee on banks.

Senate File No. 651, by Senator Shane, a bill for an act to amend chapter 230 of the acts of the Thirty-ninth General Assembly relating to the paving of extensions of primary roads within cities.

Read first and second times and referred to committee on highways.

Senate File No. 652, by Senator Romkey, a bill for an act to amend section four thousand six-hundred-a (4600-a) supplement to the code, 1913, as amended by chapter two hundred sixteen (216) acts of the Thirty-eighth (38) General Assembly and chapter one hundred and one (101) acts of the Thirty-ninth (39th) General Assembly (S. C. C. 6837) relating to fees of justices of the peace and constables.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 653, by Senator Banta, a bill for an act to amend chapter twelve (12), title nine (9), of the code, 1897, (C. C. chapter 4, title 29), relating to the management of banks and the conduct of directors and officers thereof and to fix a penalty for the violation thereof.

Read first and second times and referred to committee on banks.

Senate File No. 654, by Senator Mantz, a bill for an act to amend section twenty-seven hundred thirty-four-h (2734-h), supplement to the code, 1913, (C. C. 2486), relating to the issuance of second grade certificates.

Read first and second times and referred to committee on educational institutions.

Senate File No. 655, by Senator Fulton, a bill for an act to

repeal section two thousand six hundred forty-nine (2649) of the code, 1897, (C. C. 2397) relative to tuition in the state college of agriculture and mechanic arts, to provide for tuition, incidental and special fees in various colleges of the state university, in the Iowa state teachers college and in the state college of agriculture and mechanic arts and to authorize the granting of certain honor scholarships.

Read first and second times and referred to committee on education institutions.

Senate File No. 656, by Senator Horchem, a bill for an act to create a literacy commission; to provide for the membership thereof, and for the appointment of an executive secretary; to fix the salary, to locate the office, and to make an appropriation therefor.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 657, by Senator Tuck, a bill for an act requiring cities and towns, including cities acting under special charter, commission plan and manager plan of government, and school corporations, and for the officers thereof, to limit annual expenditures from the several funds to the annual collectible revenue for such funds, and providing liability therefor.

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

Senate File No. 658, by Senator Price, a bill for an act to provide a remedy and procedure in cases where a will has been admitted to probate in a state other than Iowa, and it is claimed that the alleged testator was domiciled in and a citizen and resident of this state at the time of decease.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 659, by Senator Horchem, a bill for an act providing for the appointment of a child welfare commission, defining its powers and duties.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 660, by Senator Kimberly, a bill for an act to legalize certain ordinances of the city of Davenport, Scott Coun-

ty, Iowa, providing for the issuance of corporate bonds and for taxes to pay the principal and interest thereof.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 661, by Senator Newberry, a bill for an act to amend the law as it appears in section three thousand two hundred ninety-seven (3297) of the code, relating to the application for appointment of administrator where an executor is not appointed by will, and providing the order in which such appointment may be made.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 662, by Senator Newberry, a bill for an act to punish the making or use of false statements to claim property or credit.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 663, by Senator Brookhart, a bill for an act to amend section thirteen hundred thirty-six (1336) of the code (C. C. sec. 4546), relating to the valuation of railways for the purpose of assessing.

Read first and second times and referred to committee on railroads.

Senate File No. 664, by Senator Reed, a bill for an act to amend section thirty-seven (37), chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly, relating to the construction, improvement and maintenance of highways.

Read first and second times and referred to committee on highways.

Senate File No. 665, by Senator Reed, a bill for an act granting to any city or town, including cities acting under the commission plan of government and special charter cities, the power to appoint a zoning commission and to prescribe its duties; to divide the city or town into districts with respect to the development and uses of the property therein; and to adopt uniform rules for such property which may affect the general welfare; to provide for the appointment of a board of adjustment and to prescribe its duties; to institute appropriate action or proceedings in case of violation of

this act or of any ordinance or other regulation made under authority conferred thereby.

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

Senate File No. 666, by Senator Mantz, a bill for an act to amend the law as it appears in section six hundred sixteen (616), supplement to the code, 1913 (C. C. 3485), relating to the taxation of agricultural lands within cities and towns.

Read first and second times and referred to committee on ways and means.

Senate File No. 667, by Senator Bergman, a bill for an act to amend chapter one hundred forty (140) acts of the Thirty-ninth General Assembly relating to the taxation, licensing and controlling of dogs.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 668, by Senator Bergman, a bill for an act making an appropriation to compensate Dr. John W. Martin for professional services rendered to C. W. Adams while a member of the National Guard.

Read first and second times and referred to committee on claims.

Senate File No. 669, by committee on manufactures, a bill for an act authorizing the Governor and Attorney General to act as a committee to protect the interests of the State of Iowa and of the people thereof against a trade practice known as "Pittsburgh Plus" and other similar trade practices, and making an appropriation therefor.

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

Senate File No. 670, by Senator Cessna, a bill for an act to amend section eighteen hundred and six, (1806) of the supplemental supplement to the code, 1915. (C. C. sec. 5532), relating to the investment of funds of life insurance companies and associations.

Read first and second times and referred to committee on insurance.

Senate File No. 671, by Senator Perkins, a bill for an act additional to title ten (10), chapter two-a (2-a) of the supplement to the code 1913, providing for the removal of illegality or uncertainty.

in contracts relating to drainage improvements and providing for the reassessment of land where assessments have been adjudged to be void for jurisdictional defects, or for illegality or uncertainty in such contracts.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 672, by Senator Perkins, a bill for an act to amend section two hundred twenty-seven (227) of the supplemental supplement to the code, 1915 (C. C. sec. 6937), relating to the number of district judges in each district, and providing that the number of judges in the Sixteenth Judicial District shall be three, and providing a method for filling the additional office created by this act, and for the election of a judge to fill the office hereby created, when the term of an appointee to fill such office shall expire as provided by law.

Read first and second times and referred to committee on congressional, judicial and representative districts.

Senate File No. 673, by Senator Dutcher, a bill for an act to amend the law as it appears in subdivisions (d), (k), and (l) of section two (2) of chapter one hundred eighty-nine (189) of the acts of the Thirty-ninth General Assembly of the state of Iowa relating to the regulation and supervision of investment companies.

Read first and second times and referred to committee on banks.

Senate File No. 674, by Senators Haskell and Baird, a bill for an act to amend section six hundred eighty-six (686) of the code of 1897, as amended by chapter eighty-four (84) of the acts of the Thirty-ninth General Assembly (C. C. section 3580), relating to publication of ordinances.

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

Senate File No. 675, by Senator Goodwin, a bill for an act amending section ten hundred seventy-six (1076) supplemental supplement to the code, 1915, as amended by chapter forty-one (41), acts of the Thirty-seventh General Assembly and chapter one hundred eighty (180), acts of the Thirty-eighth General Assembly (C. C. 409) relating to compensation for members of the board of registration.

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

Senate File No. 676, by Senator White, a bill for an act to amend the law as it appears in section two thousand fifty-four (2054) of the code, 1897, (C. C. sec. 5073) relating to signs at railroad crossings and regulating the speed of motor vehicles over such crossings and providing a penalty for the violation thereof.

Read first and second times and referred to committee on railroads.

Senate File No. 677, by Senator Thurston, a bill for an act to repeal section one thousand three hundred five (1305) of the supplement to the code 1913, (C. C. sec. 4584) and to enact a substitute therefor relating to the valuation of property for purposes of taxation.

Read first and second times and referred to committee on ways and means.

Senate File No. 678, by Senator Thurston, a bill for an act to amend section 1528, supplement to the code of 1913 (C. C. 2970) relating to working roads.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 679, by Senator Stoddard, a bill for an act to repeal section seven hundred sixty-nine (769) of the code (C. C. sec. 3817) and to enact a substitute therefor, relating to regulation of railroads within cities and towns.

Read first and second times and referred to committee on railroads.

Senate File No. 680, by Senator Brookhart, a bill for an act to define the qualifications of delegates or representatives to district, state or national meetings, conclaves or conventions of fraternal beneficiary associations.

Read first and second times and referred to committee on insurance.

COMMUNICATION FROM THE GOVERNOR

To the President and Members of the Senate of the Fortieth General Assembly—Gentlemen: I have deposited in the office of the secretary

of state Senate File No. 343, originating in your body, with my approval thereof affixed.

In this connection I may suggest that in the biennial message delivered to the General Assembly on January 9, 1923, after advocating the establishment of an adequate budget system for the government of state and municipal expenditures, I said:

"Along with the enlightened method I have suggested for the control of the public finances there should be enacted an express prohibition, re-enforced by suitable penalties, against any public agency expending more money or contracting the expenditure thereof, than the amount previously authorized. A real evil of disturbing proportions has arisen from the practice, altogether too often resorted to by spending bodies, of incurring indebtedness which the ordinary income of their municipalities is insufficient to liquidate."

The measure under consideration is, in my judgment, competent to effectuate the reform I then proposed, and I am unreservedly committed to the principle it embodies. It commanded the sanction of the General Assembly by substantial majorities in both branches, the recorded vote standing 35 to 10 in the Senate, and 85 to 11 in the House. It has been insisted that its operation during the current year may affect injuriously certain communities in which extraordinary conditions exist, but the ready answer to that contention is that all necessary relief may be easily provided by the enactment of a subsequent statute.

Respectfully submitted,

N. E. KENDALL, *Governor.*

REPORTS OF COMMITTEES

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 342, a bill for an act relating to indictments and to criminal procedure, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking out the title thereof and inserting in lieu thereof the following: "An act repealing the law as it appears in section five thousand two hundred eighty-four (5284) of the code, (C. C. 9347) and enacting a substitute therefor relating to criminal procedure and providing for the joinder of more than one charge in the same indictment."

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 five thousand two hundred eighty-four (5284) of the code, (C. C. 9347) be repealed and the following enacted in lieu thereof: 'When there are several charges against any person for the same act or transaction, or for two or more acts or transactions connected together, or for two or more acts or transactions of the same class of crimes or offenses, which may be properly joined, instead of having several indictments the whole may be joined

in one indictment in separate counts; and if two or more indictments are found in such cases, the court may order them to be consolidated.

Sec. 2. Nothing herein shall affect indictments which may be returned for the commission of crimes committed prior to the taking effect of this act."

CARL REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 411, a bill for an act to amend section 3349 of the code of 1897 (C. C. 7874) relating to limitation of actions of claims against estates begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

CARL REED, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 473, a bill for an act making a misdemeanor the registration of any individual or individuals under false, fictitious or assumed names in any hotel, inn, eating house or rooming house, and prescribing the penalty therefor, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

CARL REED, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Senator Holdoegel submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 524, a bill for an act to amend section 2734-d, supplement to the code, 1913, relating to the issuance of teacher's certificates by the board of educational examiners, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking therefrom all of section one (1) thereof following the word "physics" in line seven (7), thereof, and inserting in lieu thereof the following:

"a showing that the applicant has done work and earned satisfactory grades in the study of any one or more of the subjects of rural school management, rural sociology, and rural school methods, in any collegiate institution approved by the state educational board of examiners for such purpose; but the study and work done in each subject must be of college grade and cover a course of not less than five hours per week for twelve weeks".

P. C. HOLDOEGEL, *Acting Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 445, a bill for an act to establish a department of physical education under the supervision of the board of vocational education and making an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same do pass after being referred to the appropriations committee.

P. C. HOLDOEGEL, *Acting Chairman.*

The report was adopted and the bill referred to committee on appropriations.

Senator Ethell submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred House File No. 531, a bill for an act to amend section fifteen hundred twenty-eight (1528), supplement to the code, 1913 (C. C. 3440), relating to the time of meeting of the township trustees, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

JOHN J. ETHELL, *Chairman.*

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred House File No. 419, a bill for an act to amend chapter two hundred sixteen (216) (C. C. sec. 6837) acts of the Thirty-eighth General Assembly, relating to fees of justices of the peace and constables, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

JOHN J. ETHELL, *Chairman.*

The report was adopted and the bill indefinitely postponed.

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 516, a bill for an act to amend section nine hundred seventy (970) of the code (C. C. 4385), relating to road districts in cities under special charter, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 546, a bill for an act to authorize special charter cities who have abandoned their charters to transfer funds, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 618, a bill for an act conferring additional power on certain cities, relating to the purchase of land along and adjacent to meandered streams and the improvement thereof, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking from line 5, section 1, the words and figures "forty-five thousand (45,000)", and inserting in lieu thereof the words and figures "thirty-five thousand (35,000)."

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 346, a bill for an act to amend chapter 152, laws of the 39th G. A. (C. C. sec. 3817) and enacting a substitute therefor relating to regulation of railroads within cities and towns, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

W. G. HASKELL, *Chairman.*

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 595, a bill for an act to place a limit upon the hours of duty required of employees of fire departments in certain cities, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by inserting after the word "class" in line 2, section 1, the following: "having a population of 35,000 or over."

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 175, a bill for an act to amend, revise and codify sections four thousand twenty-three (4023), four thousand twenty-four (4024), four thousand twenty-seven (4027), four thousand nine hundred seventy (4970), three thousand seven hundred twenty-five (3725), three thousand seven hundred thirty-six (3736), three thousand seven hundred fifty-three (3753), three thousand seven hundred fifty-four (3754), three thousand seven hundred seventy-five (3775), of the compiled code of Iowa, relating to municipal corporations, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking from section two the words "any violation" in line one and inserting in lieu thereof the following: "a violation of any", and also by striking the letter "s" at the end of the word "sections" in said line one.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 454, a bill for an act relating to appropriation of funds to enable board of railroad commission to continue investigation of valuation of property of common carriers made by interstate commerce commissions, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking out the following, beginning in the fourteenth line of section one (1), "and thereafter there is hereby appropriated the sum of twenty thousand dollars (\$20,000), annually," and substituting in lieu thereof the following: "and there is also appropriated the sum of twenty thousand dollars (\$20,000) annually for the succeeding biennial period, ending July 1, 1925."

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 375, a bill for an act to require the auditor of state to examine and audit the accounts and business affairs of the board of agriculture, the board of education and the highway commission, and all departments and institutions under their control, and to authorize the executive council to direct and control the manner of keeping accounts, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 401, a bill for an act to make an appropriation for the purchase of fifty thousand copies of the railroad commissioners official map, and distribution thereof, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by inserting after the comma (,) at the end of line three (3) of section one (1), the words "and said maps shall contain thereon the primary roads of the state of Iowa in such colors as will distinguish them from the railways;".

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 394, a bill for an act to provide for an appropriation of fifty thousand dollars (\$50,000) for relieving the situation in coal mining camps as to school facilities, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking out the word "his" in line six (6) of section one (1) thereof, and substituting therefor the word "its".

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 539, a bill for an act to repeal section 4, chapter 304, acts of the 39th General Assembly, and to enact substitutes therefor, making an appropriation for certain purposes connected with the work of the Iowa State Dairy Association, the Iowa Beef Cattle Producers' Association, and the Iowa Corn Small Grain Growers' Association, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 317, a bill for an act to accept the provisions and the benefits of an act of Congress, approved on the 23rd day of November 1921, relative to appropriations to the several states for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 566, a bill for an act to make an appropriation for three hundred twenty-six dollars ninety-five cents (\$326.95) to reimburse George W. Metcalf, editor of the Lansing Mirror, for printing done by Mr. Metcalf on order of the motor transport committee of the state council of defense, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was re-

ferred Senate File No. 395, a bill for an act to make an appropriation for the purpose of indemnifying John Young and Retta Young for damages sustained by them by reason of the death of their son Merle J. Young, who was killed in the line of service while on duty with the Iowa National Guards, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking out the words and figures "seventy-five hundred dollars (\$7,500.00)" appearing in lines one (1) and two (2), section one (1), and inserting in lieu thereof the words and figures "three thousand dollars (\$3,000.00)".

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Senator Buser submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File No. 469, a bill for an act to amend section 1802 of the compiled code and to amend section 1805 of the compiled code and repeal a part thereof, relating to the registration of animals, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. D. BUSER, *Chairman*.

Senator Banta invoked rule 8.

On the question "Shall the report be adopted?" the vote was:

Ayes, 20.

Abben	Buser	Johnston	Price
Baird	Campbell	Kimberly	Romkey
Bergman	Cessna	Mead	Shinn
Brookhart	Fulton	Nelson	Snook
Brookins	Haskell	Perkins	Thurston

Nays, 23.

Adams	Gilchrist	Newberry	Slosson
Banta	Goodwin	Olson	Stoddard
Bowman	Hale	Reed	Tuck
Caldwell	Holdoegel	Scott	White
Dutcher	Horchem	Shaff	Wichman
Ethell	Mantz	Shane	

Absent or not voting, 6.

Browne	Hartman	Rees	Smith
Darting	McIntosh		

The committee report was rejected and the bill ordered placed on the calendar.

Senator Holdoegel submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 440, a bill for an act to amend section 35 of chapter 275 of the acts of the Thirty-eighth General Assembly as amended by the acts

of the Thirty-ninth General Assembly (C. C. 3078) and to repeal section 24 of chapter 237, acts of the Thirty-ninth General Assembly (C. C. 2932) and section 3 of chapter 188 of the acts of the Thirty-ninth General Assembly (C. C. 2913) and to enact a substitute therefor, relating to the apportionment and expenditure of moneys which are a part of the primary road fund, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

P. C. HOLDOEGEL, *Chairman*.

Senator Price invoked rule 8.

On the question "Shall the report be adopted?" the vote was:

Ayes, 26.

Abben	Dutcher	Kimberly	Shaff
Adams	Gilchrist	Mantz	Slosson
Baird	Goodwin	Newberry	Stoddard
Banta	Hale	Olson	White
Bowman	Haskell	Perkins	Wichman
Brookins	Holdoegel	Reed	
Caldwell	Horchem	Scott	

Nays, 19.

Bergman	Cessna	Mead	Shinn
Brookhart	Darting	Nelson	Snook
Browne	Ethell	Price	Thurston
Buser	Fulton	Romkey	Tuck
Campbell	Johnston	Shane	

Absent or not voting, 4.

Hartman	McIntosh	Rees	Smith
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The report was adopted and the bill indefinitely postponed.

Senator Holdoegel submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 439, a bill for an act to amend section 3, chapter 188, acts of the Thirty-ninth General Assembly (C. C. 2913), relating to the issuance of certificates and over-drafts in relation to the anticipation of primary road funds, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

P. C. HOLDOEGEL, *Chairman*.

Senator Campbell invoked rule 8.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 23.

Adams	Gilchrist	Mantz	Slosson
Baird	Goodwin	Newberry	Shane
Banta	Hale	Perkins	Stoddard
Bowman	Haskell	Reed	White
Brookins	Holdoegel	Scott	Wichman
Dutcher	Horchem	Shaff	

Nays, 18.

Bergman	Darting	Mead	Snook
Brookhart	Ethell	Nelson	Thurston
Buser	Fulton	Price	Tuck
Campbell	Johnston	Romkey	
Cessna	Kimberly	Shinn	

Absent or not voting, 8.

Abben	Caldwell	McIntosh	Rees
Browne	Hartman	Olson	Smith

The report was adopted and the bill indefinitely postponed.

Senator Newberry moved that Mr. Lu, a graduate of the Iowa State Agricultural College, be invited to address the Senate, which motion prevailed.

The President appointed Senator Newberry as a committee of one to escort Mr. Lu to the desk.

Mr. Lu addressed the Senate briefly.

MESSAGES FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House concurs in Senate amendment to House File No. 431, a bill for an act to amend section one thousand nine hundred eighty-nine-a two (1989-a2) of the supplement to the code, 1913, as amended by chapter three hundred forty-four (344) acts of the Thirty-seventh General Assembly and chapter one hundred forty-one (141) acts of the Thirty-eighth General Assembly, and chapter two hundred six (206) acts of the Thirty-ninth General Assembly (C. C. 4837) relating to proceedings to establish levees, ditches and drainage districts.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 59, a bill for an act to amend, revise and codify chapter twenty-one (21) of title five (5) of the compiled code of Iowa, relating to certified shorthand reporters.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 161, a bill for an act to amend, revise and codify sections three thousand seven hundred seven (3707) and three thousand seven hundred eight (3708) of the compiled code of Iowa, relating to municipal corporations.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 147, a bill for an act to amend, revise and codify chapter nineteen (19) of title twelve (12) of the compiled code of Iowa, relating to the relocation of county seats.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 131, a bill for an act to amend, revise and codify sections thirty-one hundred forty-six (3146), thirty-one hundred forty-seven (3147) and thirty-one hundred fifty-eight (3158) of the compiled code of Iowa, relating to the county auditor.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 455, a bill for an act to amend section one thousand six hundred fourteen (1614) of the code (C. C. sec. 5334), relating to the time a corporation may begin business, and to the publication of the notice.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 389, a bill for an act to amend section 1373 of the supplement of the code of Iowa, 1913, (C. C. 4602), relating to complaint to board of review and appeal.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 548, a bill for an act to amend the law as it appears in section one thousand nine hundred eighty-nine-a twenty-six (1989-a26), supplement to the code, 1913, as amended by chapter three hundred forty-four (344), acts of the Thirty-seventh General Assembly and chapters sixty-four (64) and two hundred seventy-one (271), acts of the Thirty-eighth General Assembly (C. C. 4874), relating to the collection of special assessments, in drainage districts.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 557, a bill for an act to amend section one thousand three hundred fourteen (1314) of the code (C. C. 4496), and section one thousand three hundred eighteen (1318) of the code (C. C. 4499), pertaining to the listing and taxation of property.

Read first and second times and referred to committee on ways and means.

House File No. 291, a bill for an act to amend section nineteen hundred eighty-nine-a3 (1989-a3), supplement to the code, 1913, as amended by chapter one hundred thirty-eight (138), acts Thirty-eighth (38) General Assembly (C. C. 4838), relative to drainage.

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

House File No. 378, a bill for an act to amend section one (1) of chapter one hundred fifty-six (156), acts of the Thirty-seventh

General Assembly (S. C. C. 2578), relating to the high school tuition of nonresident pupils in approved schools, to require the secretary of the board to file a certified statement of items entering into the cost of such tuition, and to appoint the county superintendent of schools to determine said tuition.

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

House File No. 390, a bill for an act to amend section one thousand five hundred sixty-five-c (1565-c) of the supplement to the code, 1913, as amended by chapter two hundred eighty (280) acts of the Thirty-ninth General Assembly (C. C. 3303) relating to the destruction of noxious weeds.

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

House File No. 548, a bill for an act to amend the law as it appears in section one thousand nine hundred eighty-nine-a twenty-six (1989-a26) supplement to the code, 1913, as amended by chapter three hundred forty-four (344), acts of the Thirty-seventh General Assembly and chapters sixty-four (64) and two hundred seventy-one (271), acts of the Thirty-eighth General Assembly (C. C. 4874), relating to the collection of special assessments in drainage districts.

Read first and second times and referred to committee on drainage.

RESOLUTION FOR INVESTIGATING COMMITTEE .

Senator Fulton called up for consideration the following resolution and moved its adoption:

Whereas, It is desirable that more specific and more accurate knowledge of the work of the various offices and departments of state at the seat of government be afforded the members of the Senate in order that they may act more intelligently upon proposed appropriations, therefore,

Be It Resolved, That a committee of three be appointed by the President of the Senate to make a general survey of such offices and the department with a view to determining what may be done, if anything, to improve their efficiency, what probable work they each may be required to do in the coming biennium, and what decrease or increase, if any, in the help of each may be needed to meet their requirements and to report promptly the conclusions drawn from this study to the committee on appropriations, and, when the survey is completed, to the Senate.

The resolution was adopted.

The President appointed as members of such committee Senators Fulton, Bergman, and Perkins.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos 272 and 568.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files Nos. 355 and 431.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

THIRD READING OF BILLS

On motion of Senator Caldwell Senate File No. 273, a bill for an act to provide a privilege tax on gasoline and other motor fuel oils received or manufactured for use or distribution within the state; to provide for the collection of such tax by the state oil inspector; to provide for the payment of the proceeds therefrom to the State Treasurer; to provide a fund to be known as the primary trunk road fund; to provide for the establishment of a primary trunk road system; and to provide for the surfacing of such road system, the expense thereof to be paid from the primary trunk road fund under the direction of the state highway commission; to provide for the payment of certain money from the motor vehicle fund to the respective counties and townships for road purposes; and to provide a penalty for the violation of the provisions of this act, was taken up and considered having been withdrawn from the committee on ways and means and placed on the calendar.

Senator Mead offered the following amendment and moved its adoption:

Amend by striking out the title thereof, and inserting in lieu thereof the following: "An act imposing a state tax on gasoline, and on all other

liquids containing any derivative of petroleum or natural gas, produced, prepared and compounded and usable for the purpose of generating power by means of internal combustion and sold in this state, except for the purpose of re-sale, providing for the collection of such tax and for the distribution and use of the revenues derived therefrom, making an appropriation and fixing penalties."

Also, by striking out all after the enacting clause and inserting the following in lieu thereof:

"Section 1. That the word 'gasoline' as used in this act shall include the liquids derived from petroleum or natural gas, commonly known and sold as gasoline, and all other liquids by whatever name known and sold, containing any derivatives of petroleum or natural gas, produced, prepared and compounded for the purpose of generating power by means of internal combustion and which may be used for such purpose; provided, however, that the provisions of this act shall not apply to the sale of kerosene except as to kerosene sold for use in the operation of motor vehicles.

"Sec. 2. The term 'dealer' as herein used shall include any person, firm, association, partnership or corporation, whose business in this state includes the sale of gasoline, not for re-sale, and also, any person, firm, association, partnership or corporation using gasoline in this state upon which a tax has not been paid as herein provided.

"Sec. 3. A state tax of two cents (2c) a gallon or fraction thereof is hereby imposed on all gasoline sold in this state for any purpose whatsoever except for the purpose of re-sale. The tax herein provided shall be collected by the dealer selling gasoline to purchasers who purchase for purposes other than re-sale, and shall be paid by the said dealer into the state treasury in the manner and within the time herein specified and where such gasoline is used as distinguished from 'sold' in the common and ordinary meaning of the word the dealer so using the same shall pay such tax into the state treasury in the manner and time hereinafter specified.

"Sec. 4. The taxes collected under the provisions of this act shall be paid into the state treasury and the state treasurer shall apportion the same as follows:

"(1) Two (2) per cent thereof shall be set aside in a fund to be known as the 'gasoline tax administration fund.'

"(2) Fifty (50) per cent of the remainder shall be credited to the 'primary road fund' and all of the laws of this state relating to the 'primary road fund' shall apply to and govern the allotment and expenditure thereof.

"(3) The remainder thereof shall be apportioned by the state treasurer among the several counties of this state in proportion to the area of said counties and shall quarterly be remitted to the treasurers of the several counties to be credited by the county treasurers to the 'county road cash funds' and expended in the same manner and for the same purpose as the 'county road cash fund.'

"Sec. 5. Every dealer selling gasoline at wholesale or at retail shall, on or before the last day of each month transmit to the state treasurer

a statement under oath on such forms as the state treasurer shall prescribe, of the total number of gallons of gasoline sold except such as is sold for the purpose of re-sale during the preceding calendar month and made taxable by this act, and shall at the same time pay to the state treasurer the amount of tax due under the provisions of this act for such preceding calendar month. Where any dealer operates more than one place for the sale of gasoline the report filed by such dealer shall report separately as to each of such places and also as to all. If any such dealer neglects or refuses to make such return at the time and in the manner herein provided or fails to pay the tax at the time and in the manner herein provided, the amount thereof with the addition of ten (10) per centum thereof shall be collected by the state treasurer. In arriving at the amount of taxes due where no report is filed as herein provided, the treasurer of state shall estimate the amount thereof, using such information as is available to him and such estimate shall be conclusive for the purpose of collection but the tax payer shall have the right to file an application after the payment of the tax for a refund, if any be due, for all in excess of the amount with penalty which should have been paid. The state shall have a lien on all real and personal property of the dealer failing to report or pay the tax as herein provided, and the amount of the tax with penalties as estimated by the treasurer of state may be certified to any county treasurer for collection as other delinquent taxes.

"Sec. 6. The tax imposed by this act shall be paid by the dealer using gasoline for his or its own use and every dealer is hereby required to procure for each place of business a license from the treasurer of state permitting him to continue, or to engage in said business within the state. The fee for such license shall be three dollars (\$3.00). Upon application for such license and the payment of such fee the treasurer of state shall issue a license to such dealer, which license shall be conspicuously posted at the place of business covered therein.

"Sec. 7. The tax imposed by this act shall be paid by the user and every dealer shall keep conspicuously posted at each place of business where gasoline is sold a statement of the price of the gasoline and the amount of the tax. Any dealer failing to comply with the terms and provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of five (5) dollars for each offense.

"Sec. 8. The treasurer of state or any agent appointed in writing by him is hereby authorized to examine the books and papers of any dealer pertaining to the business made taxable by this act for any purpose connected therewith, but any information gained by the treasurer of state as a result thereof shall be confidential unless the same must necessarily be used in the enforcement of the terms and provisions of this act. Any dealer refusing to permit the treasurer of state or his agent to make such examination or who fails, neglects or refuses to make the returns and to pay the tax herein provided, or who makes any incomplete, false or fraudulent report hereunder, or who does or attempts to do anything whatsoever to avoid a full disclosure of the amount of business done or to avoid the payment of the whole or any part of the tax due shall be

guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five dollars (\$5.00) nor more than one thousand dollars (\$1,000.00) or by imprisonment in the county jail not exceeding one (1) year or by both such fine and imprisonment.

"Sec. 9. All salaries, fees, printing and other expenses necessary in carrying out the terms and provisions of this act shall be paid through the office of the auditor of state upon warrants drawn on the 'gasoline tax administration fund.' The necessary employees required shall be employed by the treasurer of state subject to the approval of the executive council.

"Sec. 10. The treasurer of state is specifically charged with the duty of enforcing each and all of the provisions of this act and for the purpose of such enforcement may call upon the county treasurers, the county attorneys and the attorney general for assistance.

"Sec. 11. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional, the decision of the court shall not affect or impair any of the remaining provisions of the act. It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein."

Senator Caldwell offered the following amendment to the amendment and moved its adoption:

Amend the amendment by Mead to Senate File No. 273 by adding to the title as amended the following: "and to amend section thirteen hundred three (1303) of the supplemental supplement to the code, 1915, as amended, (C. C. section 2870), relating to the levy for road building purposes."

Also, by adding at the end of said amendment the following:

"Section 12. That the law as it appears in paragraph five (5) of section thirteen hundred three (1303) of the supplemental supplement to the code, 1915, as amended, (C. C. section 2870) be further amended by repealing chapter six (6) of the acts of the Thirty-seventh General Assembly and by inserting in line one (1) of said paragraph before the word "two" the words "not to exceed"."

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Reed offered the following amendment and moved its adoption:

Amend by adding as section 13 the following:

Sec. 13. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Des Moines Register and the Des Moines Capital, newspapers published at Des Moines, Iowa.

The amendment was adopted.

The bill was read for information.

Senator Caldwell moved that the reading just had be consid-

ered the third reading, which motion prevailed.

Senator Caldwell invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 26.

Abben	Darting	Horchem	Reed
Adams	Dutcher	Kimberly	Scott
Baird	Gilchrist	Mantz	Shaff
Banta	Goodwin	Mead	Stoddard
Bowman	Hale	Newberry	Wichman
Brookins	Haskell	Olson	
Caldwell	Holdoegel	Perkins	

Nays, 19.

Bergman	Cessna	Price	Snook
Brookhart	Ethell	Romkey	Thurston
Browne	Fulton	Shane	Tuck
Buser	Johnston	Shinn	White
Campbell	Nelson	Slosson	

Absent or not voting, 4.

Hartman	McIntosh	Rees	Smith
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Caldwell moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

Senator Price asked for a division of the motion.

On the question "Shall the motion to reconsider be laid on the table?" the vote was:

Ayes, 26.

Abben	Darting	Horchem	Reed
Adams	Dutcher	Kimberly	Scott
Baird	Gilchrist	Mantz	Shaff
Banta	Goodwin	Mead	Stoddard
Bowman	Hale	Newberry	Wichman
Brookins	Haskell	Olson	
Caldwell	Holdoegel	Perkins	

Nays, 18.

Bergman	Ethell	Romkey	Snook
Brookhart	Fulton	Shane	Thurston
Buser	Johnston	Shinn	Tuck
Campbell	Nelson	Slosson	White
Cessna	Price		

Absent or not voting, 5.

Browne	McIntosh	Rees	Smith
Hartman			

The motion prevailed and the motion to reconsider was laid on the table.

HOUSE AMENDMENTS CONSIDERED

Senator Olson called up for consideration House File No. 270. and moved that the Senate concur in the following amendment to the Senate amendment:

Amend the Senate amendment to House File 270 by striking from lines 9 and 10 thereof the words and figures "one hundred forty thousand dollars (\$140,000.00)" and inserting in lieu thereof the words and figures "one hundred twenty-five thousand dollars (\$125,000.00)".

On the question "Shall the Senate concur?" the vote was:

Ayes, 38.

Abben	Darting	Mantz	Shinn
Adams	Dutcher	Mead	Slosson
Baird	Ethell	Newberry	Snook
Banta	Fulton	Olson	Stoddard
Bergman	Gilchrist	Perkins	Thurston
Brookins	Goodwin	Price	Tuck
Buser	Hale	Reed	White
Caldwell	Haskell	Scott	Wichman
Campbell	Holdoegel	Shaff	
Cessna	Horchem	Shane	

Nays, none.

Absent or not voting, 11.

Bowman	Hartman	McIntosh	Romkey
Brookhart	Johnston	Nelsen	Smith
Browne	Kimberly	Rees	

The House amendment to the Senate amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files Nos. 272 and 568 and House Files Nos. 355 and 431.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports it has on this 20th day of March, 1923, sent to the governor for his approval, Senate Files Nos. 272 and 568.

F. C. GILCHRIST, *Chairman.*

Report adopted.

On motion of Senator Mantz Senate File No. 451 was ordered returned by the committee on ways and means and placed on the calendar.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President John Hammill presiding.

By unanimous consent Senator Stoddard withdrew from further consideration Senate Files Nos. 402, 403 and 404.

INTRODUCTION OF BILLS

Senate File No. 681, by Senator Stoddard, a bill for an act to amend section twenty-seven hundred sixty (2760) of the compiled code, relating to certain charges by the curator of the historical department for certified copies of certain documents.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 682, by Senator Nelson, a bill for an act to repeal sections twenty-three hundred forty-one-f (2341-f) (C. C. 1802), twenty-three hundred forty-one-j ((2341-j) (C. C. 1806), twenty-three hundred forty-one-l (2341-l) (C. C. 1808), twenty-three hundred forty-one-n (2341-n) (C. C. 1810), twenty-three hundred forty-one-p (2341-p) (C. C. 1813) of the supplement to the code, 1913; and sections twenty-three hundred forty-one-g (2341-g) (C. C. 1803), twenty-three hundred forty-one-h (2341-h) (C. C. 1804), twenty-three hundred forty-one-i (2341-i) (C. C. 1802), twenty-three hundred forty-one-j (2341-j) (C. C. 1806), twenty-three hundred forty-one-m (2341-m) (C. C. 1809), twenty-three hundred forty-one-o (2341-o) (C. C. 1811), and twenty-three hundred forty-one-q (2341-q) (C. C. 1812) as amended by chapter two hundred sixty-two, acts of the Thirty-eighth General Assembly, of the supplemental supplement to the code, 1915, relating to registration of animals.

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

Senate File No. 683, by Senator Campbell, a bill for an act to

amend chapter one hundred nineteen (119), acts of the Thirty-ninth General Assembly, relating to bonded warehouses for agricultural products.

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

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. 356, a bill for an act to amend section two hundred and twenty-seven (227) of the supplemental supplement to the code, 1915, (C. C. 6937), relating to the division of the state into judicial districts, and increasing the number of district judges in the thirteenth judicial district, and providing a method for filling the additional office created by this act, and for the election of a judge to fill the office hereby created, when the term of an appointee to fill such office shall expire as provided by law.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 356, a bill for an act to amend section two hundred and twenty-seven (227) of the supplemental supplement to the code, 1915, (C. C. 6937), relating to the division of the state into judicial districts, and increasing the number of district judges in the thirteenth judicial district, and providing a method for filling the additional office created by this act, and for the election of a judge to fill the office hereby created, when the term of an appointee to fill such office shall expire as provided by law.

Read first and second times and referred to committee on congressional and judicial districts.

On motion of Senator Buser Senate File No. 277 was made a special order for Wednesday, March 21 at 9:45 a. m.

JOINT RESOLUTION NO. 4, BY SHAFF

JOINT RESOLUTION

Proposing an amendment to sections two (2), three (3), five (5) and six (6) of article one (1) of the constitution of the state of Iowa relating to the holding of sessions of the General Assembly and the election of members to the General Assembly.

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 two (2) of article three (3) be amended by striking out the word "biennial" as it appears in lines one (1) and two (2) and substituting in lieu thereof the word "quadriennial";

That section three (3) of article three (3) of the constitution be amended by striking out the word "second" as it appears in line two (2) of said section and inserting in lieu thereof the word "fourth";

That section five (5) of article three (3) of the constitution be amended by striking out the word "four" as it appears in line one (1) of said section and substituting in lieu thereof the word "eight";

That section six (6) of article three (3) of the constitution be amended by striking out the word "two" in line four (4) of said section and inserting in lieu thereof the word "four";

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 shall cause the same to be published for three (3) months previous to the day of said election as provided by law.

THIRD READING OF BILLS

On motion of Senator Adams Senate File No. 560, a bill for an act to amend paragraph one (1) of section seventeen hundred fourteen (1714) (C. C. 5632) of the code, as amended by section fourteen (14), chapter four hundred twenty-nine (429) acts of the Thirty-seventh General Assembly, section seventeen hundred twenty-four (1724) (C. C. 5640) of the code, and section seventeen hundred (1700) (C. C. 5623) of the code, changing the time for filing annual statements, and extending the expiration date of certificates of authority and agents' licenses, relating to insurance other than life, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking from section 3, line 5 of the bill, the word "twenty-ninth" and inserting in lieu thereof the word "thirty-fourth".

The bill was read for information.

Senator Adams moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Caldwell	Horchem	Scott
Adams	Campell	Johnston	Shane
Baird	Darting	Mantz	Slosson
Banta	Ethell	Mead	Snook
Bergman	Gilchrist	Nelson	Stoddard
Brookhart	Goodwin	Newberry	Thurston
Brookins	Hale	Olson	Wichman
Browne	Haskell	Reed	
Buser	Holdoegel	Ronkey	

Nays, none.

Absent or not voting, 15.

Bowman	Hartman	Price	Smith
Cessna	Kimberly	Rees	Tuck
Dutcher	McIntosh	Shaff	White
Fulton	Perkins	Shinn	

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

On motion of Senator Ethell Senate File No. 535, a bill for an act to amend section 433 of the code (C. C. 3345) relating to the burial of indigent soldiers and sailors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Abben	Caldwell	Johnston	Shane
Adams	Campbell	Kimberly	Shinn
Baird	Cessna	Mantz	Slosson
Banta	Ethell	Mead	Snook
Bergman	Gilchrist	Nelson	Stoddard
Bowman	Goodwin	Newberry	Thurston
Brookhart	Hale	Olson	Tuck
Brookins	Haskell	Price	Wichman
Browne	Holdoegel	Romkey	
Buser	Horchem	Scott	

Nays, none.

Absent or not voting, 11.

Darting	Hartman	Reed	Smith
Dutcher	McIntosh	Rees	White
Fulton	Perkins	Shaff	

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

On motion of Senator Newberry, Senate File No. 513, a bill for

an act to prohibit the sale or exchange, or to have in possession with intent to sell or exchange, any milk, cream, skim milk, buttermilk, condensed or evaporated milk, powdered or desiccated milk, condensed skim milk, or any of the fluid derivatives of any of them to which has been added any fat or oil other than milk fat; providing penalties for the violation of the provisions of this act, and amending chapter 206, acts of the Thirty-eighth General Assembly (C. C. 1445), 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 after the enacting clause and inserting in lieu thereof the following:

"Section 1. It shall be unlawful for any person, firm or corporation, by himself, or by any officer, servant, or agent, or as the servant or agent of another, to manufacture, sell or exchange or have in possession with intent to sell or exchange, any milk, cream, ice cream, skim milk, buttermilk, condensed or evaporated milk, powdered or desiccated milk, condensed skim milk, or any fluid derivatives of any of them to which has been added any fat or oil other than milk fat, either under the name of said products or articles or the derivatives thereof or under any fictitious or trade name whatsoever.

"Sec. 2. Any person, firm or corporation violating any provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail for not more than thirty (30) days or by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00), or by both such fine and imprisonment.

"Sec. 3. The dairy and food commissioner, by himself or by his assistants, chemists, inspectors or agents, shall be charged with the enforcement of the provisions of this act.

"Sec. 4. Section two (2) of chapter two hundred six (206), acts of the Thirty-eighth General Assembly (C. C. 1445) is hereby amended by striking out all after line sixty-seven (67) thereof."

Also that the title be amended to read as follows: "An act to prohibit the sale or exchange, or to have in possession with intent to sell or exchange, any milk, cream, ice cream, skim milk, buttermilk, condensed or evaporated milk, powdered or desiccated milk, condensed skim milk, or any of the fluid derivatives of any of them to which has been added any fat or oil other than milk fat; providing penalties for the violation of the provisions of this act, and amending chapter two hundred six (206), acts of the Thirty-eighth General Assembly (C. C. 1445)."

Senator Haskell moved that further action be deferred, and asked for a roll call, which motion prevailed.

On the question, "Shall further action be deferred?" the vote was:

Ayes, 8.

Campbell
Goodwin

Haskell
Horchem

Kimberly
Price

Shinn
Tuck

Nays, 24.

Abben
Adams
Banta
Bergman
Bowman
Brookhart

Brookins
Browne
Cessna
Darting
Hale
Holdoegel

Johnston
Mantz
Nelson
Olson
Romkey
Scott

Shaff
Shane
Slosson
Snook
Stoddard
Wichman

Absent or not voting, 19.

Baird
Buser
Caldwell
Dutcher

Ethell
Fulton
Gilchrist
Hartman

McIntosh
Mead
Newberry
Perkins

Reed
Rees
Smith
Thurston
White

The motion was lost.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking from line 5 of section 1 the words "ice cream".

Senator Shaff asked for a roll call.

Senator Buser withdrew his amendment.

The bill was read for information.

Senator Newberry moved that the reading just had be considered its third reading, which motion prevailed.

Senator Shaff invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41.

Abben
Adams
Baird
Banta
Bergman
Bowman
Brookhart
Brookins
Browne
Buser
Campbell

Cessna
Darting
Ethell
Fulton
Gilchrist
Goodwin
Hale
Haskell
Holdoegel
Horchem
Johnston

Kimberly
Mantz
Mead
Nelson
Newberry
Olson
Reed
Romkey
Scott
Shaff

Shane
Shinn
Slosson
Snook
Stoddard
Thurston
Tuck
White
Wichman

Nays, 1.

Price

Absent or not voting, 7.

Caldwell
Dutcher

Hartman
McIntosh

Perkins
Rees

Smith

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Gilchrist offered the following amendment to the title and moved its adoption:

Amend by inserting in line 1 after the word "exchange" the words "or have in possession with intent to sell or exchange".

The amendment was adopted and the title as amended was agreed to.

Senator Newberry moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

RESOLUTION OPPOSING PACKING MERGER

Senator Gilchrist offered the following concurrent resolution:

A RESOLUTION

Relating to the proposed packing merger and endorsing proceedings in the department of agriculture brought to prevent the same.

Whereas, A merger is contemplated of the interests of the two great packing houses of Armour & Company and of Morris & Company, both engaged in buying and selling live stock, meat products and other food stuffs in interstate commerce, and

Whereas, The business methods of these two great family companies, with three others, all jointly known as the "Big Five", were investigated in recent years by the federal trade commission, a responsible department of our government, with a view of ascertaining their legality, fairness and probity; and the report filed as a result of such investigation indicated that these five great packing concerns, by unfair means, had obtained a dominant position in the live stock industry, that they pooled their interests, that they partitioned off territory among themselves for exploitation, that they agreed to division of purchases in definite and fixed percentages, that they controlled at their own will the prices at which they bought the live stock of the farmer, feeder and producer in the yards, as well as also the prices at which they sold meats and meat products to consumers, retailers and butchers on the block, that they were able also to stifle competition and held in their own hand the fortunes of all rivals, and that they were reaching out for mastery in many related, as well as unrelated, lines of trade, and

Whereas, They have at all times denied these evil and unfair practices and have asserted their own innocence and good intentions, affirming that they were fairly competing with each other in open trade; that nevertheless they have opposed the enactment and sought to enjoin the enforcement of the packers and stockyards act of January 24, 1921, placing

such concerns under the control of the government and prohibiting all persons engaged in interstate commerce from attempting unfair, discriminating or deceptive practices, from manipulating or controlling prices, or otherwise creating a monopoly or restraining commerce—an act which has been sustained by the courts and is now in the keeping of Hon. H. C. Wallace of Iowa, Secretary of Agriculture, who is opposing the contemplated merger as an unwholesome and illegal alliance, contrary to the principles of sound public policy and of correct economic practice, and

Whereas, The live stock industry is essential to the well-being of Iowa, the fertility of its soil, the prosperity of its business, and the happiness of its people; and any threat or menace to this industry is an alarm to the whole state; now, therefore,

Be It Resolved by the Senate, the House concurring:

Section 1. That it disapproves of the contemplated merger because it seems further to disclose an illegal combination in restraint of trade as indicated in the report of said commission; because it discloses that the protestations of innocence as made by the members of the "Big Five" are not founded in sincerity; because it further attempts to eliminate competitive enterprise from the field of live stock buying, selling and processing; because it will tend to vest control of the market in live stock on the hoof, as well as meat on the block, in the hands of a few great monopolistic and hereditary concerns to the danger and detriment of the public; because it will unite vast power to do evil into centralized control and tempt the greed of selfish interest; because it is contrary to established political and economic principles and to sound public policy; because it will be an example for evil emulation; because it is, in short, illegal and contrary to enactments of the federal congress in the Sherman Anti-Trust Act, the Federal Trade Commission Act, the Packers and Stockyards Act, and many other acts which denounce illegal and wicked combination in restraint of trade in interstate commerce.

Be It Further Resolved, That the action of Hon. H. C. Wallace, Secretary of Agriculture, in resisting this proposed combination, is heartily approved. May his sword have keen edge.

SENATE FILE NO. 305 RECALLED FROM GOVERNOR

Senator Tuck moved that the Governor be requested to return Senate File No. 305, which motion prevailed.

On motion of Senator Brookins Senate File No. 507 was made a special order for Thursday, March 22, at 10 a. m.

On motion of Senator Stoddard the Senate adjourned until 4:30 p. m.

The Senate met pursuant to adjournment.

INTRODUCTION OF BILLS

Joint Resolution No. 4, by Senator Shaff, proposing an amendment to sections two (2), three (3), five (5) and six (6) of article one (1) of the constitution of the state of Iowa relating to the holding of sessions of the general assembly and the election of members to the general assembly.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 684, by Senator Kimberly, a bill for an act to repeal section two thousand eight hundred twelve-c (2812-c) supplement to the code 1913, as amended by chapter 262, acts of the Thirty-seventh (37th) General Assembly (C. C. 2659) relating to school funding and refunding bonds and to enact a substitute therefor.

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

Senate File No. 685, by Senator Thurston, a bill for an act to amend section eighteen hundred twenty-one-a (1821-a) (C. C. 5468) supplement to the code, 1913, relating to the powers of commissioner of insurance, with reference to the examination and inquiry into the affairs of insurance companies.

Read first and second times and referred to committee on insurance.

Senate File No. 686, by Senator Goodwin, a bill for an act to amend section forty-six hundred sixty-one of the code, 1897, as amended by chapter three hundred fifty-six (356), acts of the Thirty-seventh General Assembly and chapter sixty-one (61), acts of the Thirty-eighth General Assembly (C. C. 7368) relating to assessment of witness fees.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 687, by Senator Goodwin, a bill for an act to amend section six hundred ninety-four-c-28 (694-c-28), supplemental supplement, 1915, (C. C. 6869) relating to witness fees.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 688, by Senator Goodwin, a bill for an act

relating to light service along the highways of the state, and authorizing and empowering boards of supervisors to establish benefited districts and to levy special assessments for light service against such benefited district.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 689, by Senator Goodwin, a bill for an act to amend section ten hundred seventy-seven (1077) supplement to the code, 1913, (S. C. C. 411) and sections ten hundred seventy-nine (1079) and ten hundred eighty (1080) of the code, 1897, (C. C. 413 and 414, respectively) relating to the registration of voters.

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

Senate File No. 690, by Senator Goodwin, a bill for an act to amend the law as it appears in section one (1) of chapter one hundred seventy-two (172), acts of the Thirty-seventh General Assembly (C. C. 3923 and 4395) authorizing the oiling of streets and relating to the oiling of streets and alleys by cities and towns.

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

Senate File No. 691, by Senator Gilchrist, a bill for an act to amend section nine hundred sixty-five (965), supplement to the code, 1913 (C. C. 4379), relating to the giving of notice of intention to make street and sewer improvements, and providing for manner of giving notice thereof.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 692, by Senator Holdoegel, a bill for an act to amend the laws as it appears in sections four thousand eight hundred fifty-one (4851) and four thousand eight hundred eighty-five (4885) of the compiled code, relating to levees, ditches and waterfalls.

Read first and second times and referred to committee on drainage.

Senate File No. 693, by Senator Cessna, a bill for an act to abolish the board of parole and to impose the duties thereof on the

board of control of state institutions, to increase the membership of said latter board and to provide for their appointment, to repeal section twenty-seven hundred twenty-seven-a one (2727-a1), supplement to the code, 1913, (S. C. C. 1852), and to enact a substitute therefor, to repeal section fifty-seven hundred eighteen-a fourteen (5718-a14), supplement to the code, 1913, (S. C. C. 2242), and to amend sections fifty-seven hundred eighteen-a (5718-a18) (C. C. 2247), and to amend fifty-seven hundred eighteen-a nineteen (5718-a19), (C. C. 2248), fifty-seven hundred eighteen-a twenty (5718-a20), as amended by Thirty-eighth (38) General Assembly, chapter two hundred nineteen (219), (C. C. 2251), section fifty-seven hundred eighteen-a twenty-three (5718-a23), (C. C. 2252), fifty-seven hundred eighteen-a twenty-five (5718-a25), (C. C. 2246), fifty-seven hundred eighteen-a twenty-six (5718-a26), (C. C. 2249), two hundred ninety-three (293), (C. C. 2256), four hundred seventy-five (475), (C. C. 2257), and fifty-six hundred twenty-six (5626), as amended by Thirty-ninth (39) General Assembly, chapter seventy-three (73), (S. C. C. 2258), all of the supplement to the code, 1913.

Read first and second times and referred to commission on departmental affairs.

Senate File No. 694, by Senator Shinn, a bill for an act to amend section fifty-seven hundred eighteen-a13 (5718-a13) of the supplement to the code, 1913, (C. C. section 9528) so as to require the court, in imposing sentences of confinement in the penitentiary, to fix the minimum sentence.

Read first and second times and referred to committee on penal, charitable and correctional institutions.

Senate File No. 695, by Senator Thurston, a bill for an act to amend section eighteen hundred thirty-nine-b (1839-b) (C. C. 5573) supplement to the code, 1913, as amended by section twelve (12) of chapter three hundred forty-eight (348), acts of the Thirty-eighth (38th) General Assembly and section eighteen (18) of chapter two hundred nine (209) acts of the Thirty-ninth (39th) General Assembly relating to the examination and inquiry into the affairs of fraternal beneficiary societies.

Read first and second times and referred to committee on insurance.

Senate File No. 696, by Senator Bowman, a bill for an act creating a board of commerce and trade; enumerating its pow-

ers and defining its duties; providing for the enforcement of its orders by the district court; and providing for appeals.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 697, by Senator Bergman, a bill for an act authorizing the creation of the office of county manager, providing for his appointment, salary and term of office, and prescribing his powers and duties.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 698, by Senator Holdoegel, a bill for an act to amend the law as it appears in sections three thousand one (3001), three thousand three (3003), three thousand four (3004) and three thousand six (3006) of the compiled code, relating to the eradication and destruction of weeds.

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

REPORT OF COMMITTEE

Senator Brookhart, 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. 582, a bill for an act to amend section ten (10) of chapter three hundred fifty-two (352) acts of the Thirty-eighth General Assembly (C. C. 6326) relating to the recording and filing of instruments affecting the title to personal property, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

HOUSE AMENDMENTS CONSIDERED

Senator Reed called up for consideration Senate File No. 59, amended by the House, and moved that the Senate concur in the following amendment:

Strike out all of section three (3) and insert in lieu thereof the following:

"Section 3. The board of examiners shall fix stated times for the examination of the candidates and shall receive for their services only their necessary traveling expenses, such expenses to be paid from such funds as may accrue hereunder."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 34.

Adams	Cessna	Johnston	Romkey
Baird	Dutcher	Kimberly	Shaff.
Banta	Ethell	Mantz	Shane
Bergman	Fulton	Nelson	Snook
Brookhart	Gilchrist	Newberry	Stoddard
Brookins	Goodwin	Perkins	Tuck
Buser	Hale	Price	White
Caldwell	Holdoegel	Reed	Wichman
Campbell	Horchem		

Nays, 1.

Shinn

Absent or not voting, 14.

Abben	Hartman	Olson	Slosson
Bowman	Haskell	Rees	Smith
Browne	McIntosh	Scott	Thurston
Darting	Mead		

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Reed offered the following amendment to the second House amendment and moved its adoption:

Amend by striking out the word "section" at the end of line 1 of the amendment, and inserting in lieu thereof the word "in" and by striking out the word and figure "six (6)" and inserting in lieu thereof the word and figure "five (5)"; also amend the amendment by adding the words "and substitute the word 'the chapter'".

On the question, "Shall the amendment to the amendment be adopted and the amendment be concurred in?" the vote was:

Ayes, 26.

Abben	Darting	Nelson	Stoddard
Adams	Gilchrist	Price	Thurston
Banta	Hale	Reed	Tuck
Bergman	Holdoegel	Romkey	White
Bowman	Horchem	Scott	Wichman
Brookhart	McIntosh	Shaff	
Buser	Mantz	Slosson	

Nays, none.

Absent or not voting, 23.

Baird	Dutcher	Johnston	Rees
Brookins	Ethell	Kimberly	Shane
Browne	Fulton	Mead	Shinn
Caldwell	Goodwin	Newberry	Smith
Campbell	Hartman	Olson	Snook
Cessna	Haskell	Perkins	

The amendment to the amendment was adopted, and the House amendment as amended having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

On motion of Senator Buser, Senate File No. 643 was called from the committee on agriculture and referred to the committee on dairy and food.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File No. 285 by striking out the following words, as they appear in the bill as amended by amendment appearing in the House Journal of March 10, beginning in the tenth line on page No. 798: "but, in exercising the authority conferred upon it in this proviso, the board of railroad commissioners shall not permit the establishment of any charge to or from the more distant point that is not reasonably compensatory for the service performed."

WM. J. GOODWIN.

MR. PRESIDENT: I move the adoption of the following as a substitute for the committee amendment to Senate File No. 594, appearing on pages 864, 865, 866 and 867, of the Senate Journal of March 17th:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. A state supervising board of inspectors is hereby constituted, consisting of the attorney general, the state dairy and food commissioner, and the secretary of the state board of health, who shall serve without pay.

"Sec. 2. The duties of said state supervising board of inspectors shall be to appoint all inspectors and field agents in the departments of state board of health, the state dairy and food commission, the state board of parole, the state horticultural society, and the inspectors and field agents necessary to carry out the provisions of the cigarette law, the motor vehicle law, oil inspectors, and such other inspectors and field agents as may now or hereafter be provided by law in the administration of said departments and laws, and in making such appointments, preference, as far as the public welfare may permit in the judgment of said board, shall be given to the recommendations of the heads of the respective departments included in this act. Said supervising board shall have supervision and direction of said inspectors and field agents, and shall have power to reduce the number or limit the time of service of any of such inspectors or field agents as may be deemed necessary in the interests of the public welfare.

"Said supervision board is empowered to consolidate the work of inspectors and field agents in any department with others, and assign and transfer inspectors from such work from time to time as they may deem advisable in the interests of the public welfare, and said supervising

board shall eliminate as far as possible the duplication of work, and place the inspection on a strictly economical basis as far as good business management will permit in the interests of the public welfare.

"Said supervising board is empowered to assign for stated periods a deputy or assistant, or other person in any department included in this act, to serve as chief inspector and administrator of said board, and to detail stenographers as needed from other departments to serve without additional pay.

"Sec. 3. The chief of inspectors shall have the power to call on any sheriff or police officer of this state to make inspections, investigations, and reports, either generally or specially, in connection with any of the inspections required by law to be made by any of the several departments, boards, and bureaus of the state government. Such inspections, investigations, and reports, shall be made within a reasonable time required by the chief of inspectors, and failure upon the part of any sheriff, or police officer, to make such inspection, investigation, and report, when called upon as herein provided, shall constitute a removable misconduct of office.

"Sec. 4. Such local peace officers shall be entitled to no compensation for making such inspections, investigations, and reports, but shall receive mileage at the same rate as is provided sheriffs by law.

"Sec. 5. All acts or parts of acts inconsistent with this act are hereby repealed."

BYRON W. NEWBERRY.

The Journal of March 19th was corrected and approved.

On motion of Senator Hale the Senate adjourned until 9 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, March 21, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. Carl Brown, pastor of the Methodist Episcopal church of Conway, Iowa.

On motion of Senator Mead rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

Senator Holdoegel presented a petition from citizens of Fort Dodge protesting the proposed tax on cigars and tobacco. Referred to committee on ways and means.

Senator Abben presented a petition from the Modern Brotherhood of America, Lodge 224, Little Rock, endorsing House File 544 relative to fraternal beneficiary societies. Referred to committee on insurance.

Petitions from the Brotherhood of American Yeomen endorsing House File 544 were presented by Senator Abben from Homestead 1965, Ocheyedan, and by Senator Gilchrist from Homesteads 5843 and 121, Bode and Humboldt. Referred to the committee on insurance.

Petitions from the Modern Woodmen protesting House File 544 were presented by Senator Shinn from Camp 1129, Onawa; by Senator McIntosh from Camps 2033, 4490 and 5281, Lorimor, Grand River and Benton; by Senator Rees from Camp 1049, Shendoah; by Senator Newberry from Camp 3004, Garnaville. Referred to committee on insurance.

RESOLUTION FOR SIFTING COMMITTEE

Senator Perkins 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 Saturday, March 30, 1923, appoint a sifting committee of seven members to which shall be referred all bills other than appropriation bills, and that beginning Mon-

day, April 2, 1923, 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.

The resolution was laid over under the rules.

By unanimous consent Senator Buser withdrew from further consideration Senate File No. 312.

THIRD READING OF BILLS

On motion of Senator Stoddard, House File No. 477, a bill for an act to amend section six hundred forty-two (642) of the code, (C. C. 3511) relating to elections in cities and towns, was taken up and considered, the report of the committee having been previously adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 31.

Abben	Gilchrist	Mead	Slosson
Adams	Goodwin	Nelson	Snook
Baird	Hale	Newberry	Stoddard
Banta	Haskell	Perkins	Thurston
Bergman	Holdoegel	Price	Tuck
Buser	Johnston	Romkey	White
Caldwell	McIntosh	Shane	Wichman
Darting	Mantz	Shinn	

Nays, none.

Absent or not voting, 18.

Bowman	Cessna	Hartman	Reed
Brookhart	Dutcher	Horchem	Rees
Brookins	Ethell	Kimberly	Scott
Browne	Fulton	Olson	Shaff
Campbell			Smith

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

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had on March 20, 1923, signed Senate Files Nos. 466, 530, 435, 271, 422, 385, 563, 337, 350 and 359.

On motion of Senator Brookhart, Senate File No. 379, a bill for an act to amend section four thousand forty-five (4045) of the code (C. C. sec. 7739), relating to the redemption and possession of property sold under execution, was taken up and considered, the committee having reported the bill out without recommendation.

The following committee amendment was adopted:

Amend by adding to the same at the end of section one thereof the following: "This act shall not affect existing contracts or agreements".

The bill was read for information.

Senator Brookhart moved that the reading just had be considered the third reading, which motion prevailed.

Senator Brookhart invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 24.

Bowman	Campbell	Johnston	Romkey
Brookhart	Darting	McIntosh	Shane
Brookins	Gilchrist	Mead	Shinn
Browne	Goodwin	Nelson	Snook
Buser	Hartman	Newberry	Tuck
Caldwell	Horchem	Rees	White

Nays, 20.

Abben	Ethell	Mantz	Slosson
Adams	Fulton	Perkins	Smith
Baird	Hale	Price	Stoddard
Bergman	Haskell	Reed	Thurston
Dutcher	Holdoegel	Scott	Wichman

Absent or not voting, 5.

Banta	Kimberly	Olson	Shaft
Cessna			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Ethell explained his vote on Senate File No. 379 by saying: "Notwithstanding all that has been said here I do not believe that the bill is for the interest of the man who is forced to borrow money on his real estate and I therefore vote 'No'."

Senator Bowman moved that Senate Files Nos. 277 and 329 be rereferred to the committee on highways with instructions to report same back within three days, which motion prevailed.

On motion of Senator Newberry, House File No. 275, a bill for

an act to amend section one hundred-e (100-e), supplement to the code, 1913 (C. C. 134), to provide for the auditing of the financial conditions of school corporations and authorize the superintendent of public instruction and the auditor of state to prepare forms, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shane offered the following amendment and moved its adoption:

Amend by striking from line 6 of section 1 the words "and not more than once in two years unless" and inserting in lieu thereof the word "when."

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 28.

Abben	Fulton	Mantz	Shane
Baird	Hale	Nelson	Shinn
Brookins	Hartman	Olson	Slosson
Browne	Haskell	Price	Snook
Campbell	Horchem	Rees	Stoddard
Cessna	Johnston	Romkey	Thurston
Dutcher	McIntosh	Shaff	Tuck

Nays, 13.

Adams	Goodwin	Reed	White
Banta	Kimberly	Scott	Wichman
Bowman	Newberry	Smith	
Caldwell	Perkins		

Absent or not voting, 8.

Bergman	Buser	Ethell	Holdoegel
Brookhart	Darting	Gilchrist	Mead

The amendment was adopted.

Senator Wichman offered the following amendment and moved its adoption:

Amend by striking from lines 12 and 13 of section 1 the following words: "and all consolidated school corporations receiving maximum state aid".

The amendment was adopted.

The bill was read for information.

Senator Newberry moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 10.

Baird	Caldwell	Mantz	White
Banta	Gilchrist	Newberry	Wichman
Brookhart	Horchem		

Nays, 27.

Abben	Goodwin	Perkins	Slosson
Adams	Hale	Price	Smith
Bergman	Hartman	Romkey	Snook
Campbell	Haskell	Scott	Stoddard
Cessna	Johnston	Shaff	Thurston
Dutcher	McIntosh	Shane	Tuck
Fulton	Nelson	Shinn	

Absent or not voting, 12.

Bowman	Buser	Holdoegel	Olson
Brookins	Darting	Kimberly	Reed
Browne	Ethell	Mead	Rees

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Shane moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

Senator Romkey invoked rule 8.

On the question, "Shall the Senate reconsider the vote by which House File 275 passed the Senate and the motion to reconsider be laid on the table?" the vote was:

Ayes, 26.

Abben	Hale	Mead	Shane
Adams	Hartman	Nelson	Shinn
Brookhart	Haskell	Olson	Slosson
Browne	Holdoegel	Price	Snook
Buser	Horchem	Rees	Stoddard
Cessna	Johnston	Romkey	Tuck
Dutcher	McIntosh		

Nays, 20.

Baird	Campbell	Kimberly	Shaff
Banta	Ethell	Mantz	Smith
Bergman	Fulton	Newberry	Thurston
Brookins	Gilchrist	Reed	White
Caldwell	Goodwin	Scott	Wichman

Absent or not voting, 3.

Bowman	Darting	Perkins
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The motion prevailed.

On motion of Senator Buser, Senate File No. 523, a bill for an act repealing section twenty-six hundred eighty-two-y (2682-y) supplement to the code, 1913, (C. C. sec. 2338) and providing a

substitute therefor relating to the disposition of the funds in possession of the finance committee of the state board of education, 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:

Amend by striking from line 1 of section 2 the words "on or before July 15, 1923" and inserting in lieu thereof the words "on or before May 1, 1923".

The amendment was adopted.

Senator Caldwell offered the following amendment and moved its adoption:

Amend by striking from lines 5 and 6 of section 1 the words "fund from which originally drawn" and inserting in lieu thereof the words "proper fund of each educational institution".

The amendment was lost.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking from line 3 of section 2 the word "or" and inserting in lieu thereof the word "of".

The amendment was adopted.

The bill was read for information.

Senator Buser moved that the reading just had be considered the third reading, which motion prevailed.

Senator Buser invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 14.

Brookhart	Hartman	Price	Shinn
Browne	Johnston	Rees	Snook
Buser	McIntosh	Romkey	Tuck
Ethell	Nelson		

Nays, 29.

Abben	Dutcher	Mantz	Shane
Adams	Gilchrist	Newberry	Slosson
Baird	Goodwin	Olson	Stoddard
Banta	Hale	Perkins	Thurston
Bergman	Haskell	Reed	White
Brookins	Holdoegel	Scott	Wichman
Caldwell	Horchem	Shaff	
Campbell	Kimberly		

Absent or not voting, 6.

Bowman	Darting	Mead	Smith
Cessna	Fulton		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Holdoegel moved that the vote by which the bill failed to pass 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, 27.

Abben	Darting	Kimberly	Shaff
Baird	Dutcher	Mantz	Shane
Banta	Gilchrist	Newberry	Slosson
Bergman	Hale	Olson	Stoddard
Brookins	Haskell	Perkins	White
Caldwell	Holdoegel	Reed	Wichman
Campbell	Horchem	Scott	

Nays, 14.

Brookhart	Fulton	Nelson	Shinn
Browne	Hartman	Price	Snook
Buser	Johnston	Romkey	Tuck
Ethell	McIntosh		

Absent or not voting, 8.

Adams	Cessna	Mead	Smith
Bowman	Goodwin	Rees	Thurston

The motion prevailed.

The report of the committee on elections recommending Senate File No. 570 for indefinite postponement was taken up and considered.

Senator Price moved the previous question, which motion prevailed, and the previous question was ordered.

On the question, "Shall the report be adopted?" the vote was:

Ayes, 3.

Haskell	Price	Shane
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Nays, 36.

Abben	Cessna	McIntosh	Scott
Banta	Ethell	Mantz	Shinn
Bowman	Gilchrist	Mead	Slosson
Brookhart	Goodwin	Newberry	Snook
Brookins	Hale	Olson	Stoddard
Browne	Holdoegel	Perkins	Thurston
Buser	Horchem	Reed	Tuck
Caldwell	Johnston	Rees	White
Campbell	Kimberly	Romkey	Wichman

Absent or not voting, 10.

Adams
Baird
Bergman

Darting
Dutcher
Fulton

Hartman
Nelson

Shaff
Smith

The report was rejected and the bill ordered placed on the calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 681, a bill for an act to require the labelling of mattresses and comforts, to prohibit the use of infectious, unsanitary, unhealthful, or second-hand material in their manufacture, and to prohibit any person from manufacturing, selling, offering or consigning for sale, or having in his possession with intent to sell, offer for sale, or consign for sale, any mattress or comfort, unless the same be made wholly of new material and labelled as hereinafter provided, and repealing chapter four hundred six (406), acts of the Thirty-seventh General Assembly.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 584, a bill for an act to amend section fifty-two hundred forty-six (5246) of the supplement to the code, 1913, (C. C. 9306-7) relating to the drawing of grand jurors.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 160, a bill for an act to amend, revise and codify sections three thousand six hundred eighty-seven (3687), three thousand seven hundred (3700) and three thousand seven hundred three (3703) of the compiled code of Iowa, relating to municipal corporations.

Also, 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 to amend, revise and codify chapter twenty (20) of title twelve (12) of the compiled code of Iowa, relating to changing names of villages.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 156, a bill for an act to amend, revise, and codify sections three thousand five hundred seventy-five (3575), three thousand five hundred seventy-seven (3577), and three thousand five hundred seventy-eight (3578) of the compiled code of Iowa, and section three thousand five hundred eighty (3580) of the supplement to said code, relating to municipal corporations.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 210, a bill for an act to amend, revise and codify sections sixty-two hundred five (6205) and sixty-two hundred six (6206) of the compiled code of Iowa, relating to unfair discrimination.

Also, 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, revise, and codify sections sixty-five hundred eighty-nine (6589), sixty-five hundred ninety (6590), sixty-five hundred ninety-six (6596) and sixty-six hundred (6600) of the compiled code of Iowa, and section eighty-six hundred eighteen (8618) of the supplement to said code, relating to marriages and incest.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 234, a bill for an act to amend, revise and codify section seventy-seven hundred fifty-nine (7759) of the compiled code of Iowa, relating to the examination of debtors in proceedings auxiliary to execution.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 468, a bill for an act to amend section three thousand three hundred four (3304) of the code (C. C. 7826), relating to notice of appointment of executors and administrators, and legalizing notice of appointment given prior to January 1, 1920.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 460, a bill for an act to amend section twelve hundred fifty-eight-c (1258-c) of the supplement to the code, 1913, as amended by chapter three hundred ninety-one (391) of the acts of the Thirty-seventh General Assembly (C. C. sec. 649) relating to the removal of public officers and to extend the provisions thereof to include appointive officers.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 711, a bill for an act to amend the law as it appears in section twenty-five hundred eighty-nine-d (2589-d), supplement to the code, 1913, as amended by chapter ninety-five (95), acts of the Thirty-eighth General Assembly (C. C. 1420), relating to the examination and the registration of pharmacists.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 518, a bill for an act to amend section five (5), chapter two hundred sixty-seven (267), acts of the Thirty-seventh General Assembly, as amended by section three (3), chapter two hundred eleven (211), acts of the Thirty-eighth General Assembly and chapter two hundred seventy-eight (278), acts of the Thirty-ninth General Assembly (S. C. C. 7020), relating to number of petit jurors to be selected and drawn by jury commission.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 550, a bill for an act to amend section twenty-six hundred twenty-eight (2628) of the code, as amended (S. C. C. 2295), relating to the board of educational examiners.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 578, a bill for an act to authorize the issuance of a patent to certain lands in Jones county, Iowa, to S. G. Matson.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 670, a bill for an act to legalize the certification by the county auditor, Bremer county, Iowa, of the annual levy for school purposes for the school year 1922-1923 of the independent school district No. one (1), Douglas township, Bremer county, Iowa, to the Bremer county board of supervisors, in the sum of eight hundred dollars (\$800.00).

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 676, a bill for an act to legalize an ordinance of the incorporated town of Ringsted, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 675, a bill for an act to legalize an ordinance of the incorporated town of Gruver, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 674, a bill for an act to legalize an ordinance of the incorporated town of Dolliver, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 673, a bill for an act to legalize an ordinance of the incorporated town of Wallingford, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 583, a bill for an act to legalize ordinances and amendments to ordinances of the city of Independence, Buchanan county, Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 639, a bill for an act to legalize the acts and proceed-

ings in relation to drainage district number thirty (30) Polk county, Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 636, a bill for an act to legalize the acts and proceedings in relation to drainage district number twenty-eight (28), Polk county, Iowa.

Also, that the House has concurred in Senate amendment to House File 457, a bill for an act to legalize \$78,000.00 school building bonds dated August 1st, 1921, of the consolidated independent school district of Moorland, Webster County, Iowa.

Also, I am directed by the House to request the return of Senate File 305, a bill for an act repealing sections five thousand five hundred fifteen (5515) (C. C. sec. 9268), five thousand five hundred sixteen (5516) (C. C. sec. 9269), five thousand five hundred seventeen (5517) (C. C. sec. 9270) of the code of 1897, and section five thousand five hundred eighteen (5518) (C. C. sec. 9271), and five thousand five hundred nineteen (5519) (C. C. sec. 9272) of the supplement to the code, 1913, relating to forfeiture of bail, and to enact a substitute therefor.

A. C. GUSTAFSON, *Chief Clerk.*

On motion of Senator Tuck the Senate complied with the request from the House to return Senate File No. 305.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

HOUSE AMENDMENTS CONSIDERED

Senator McIntosh called up for consideration Senate File No. 290 amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File No. 290 as follows:

By striking out the period (.) at the end of the title thereof and adding the following: “; also amending section two thousand three hundred eighty-three (2383) of the supplement to the code, 1913 (C. C. 915)”.

Also amend the body of the bill by renumbering section three (3) as section four (4) and inserting the following as section three (3):

“Sec. 3. That section two thousand three hundred eighty-three (2383) of the supplement to the code, 1913 (C. C. 915), be amended by striking out all after the word “paid” in the seventh (7th) line thereof, and inserting in lieu thereof a period.

On the question "Shall the Senate concur?" the vote was:

Ayes, 34.

Abben	Caldwell	Horchem	Shane
Baird	Campbell	Johnston	Shinn
Banta	Darting	McIntosh	Snook
Bergman	Dutcher	Newberry	Stoddard
Bowman	Ethell	Olson	Thurston
Brookhart	Gilchrist	Reed	Tuck
Brookins	Goodwin	Rees	Wichman
Browne	Hartman	Romkey	
Buser	Holdoegel	Scott	

Nays, none.

Absent or not voting, 15.

Adams	Haskell	Nelson	Slosson
Cessna	Kimberly	Perkins	Smith
Fulton	Mantz	Price	White
Hale	Mead	Shaff	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator McIntosh called up for consideration Senate File No. 512 amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File No. 512 by striking out all the words in lines 12 and 13 following the word "liquors".

Amend Senate File No. 512 by striking therefrom the words "Thirty-eighth" in line four (4) and by inserting in lieu thereof the words "Thirty-seventh".

Also amend the title by striking therefrom the words "Thirty-eighth" and inserting in lieu thereof the words "Thirty-seventh".

On the question "Shall the Senate concur?" the vote was:

Ayes, 40.

Abben	Campbell	Holdoegel	Romkey
Baird	Darting	Horchem	Scott
Banta	Dutcher	Johnston	Shane
Bergman	Ethell	Kimberly	Shinn
Bowman	Fulton	McIntosh	Slosson
Brookhart	Gilchrist	Mantz	Snook
Brookins	Goodwin	Newberry	Stoddard
Browne	Hale	Olson	Tuck
Buser	Hartman	Perkins	White
Caldwell	Haskell	Reed	Wichman

Nays, none.

Absent or not voting, 9.

Adams	Nelson	Rees	Smith
Cessna	Price	Shaff	Thurston
Mead			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Horchem moved that Senate File No. 384 be withdrawn from further consideration.

Senator Kimberly invoked rule 8.

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

Ayes, 40.

Abben	Campbell	Johnston	Scott
Baird	Dutcher	McIntosh	Shane
Banta	Ethell	Mantz	Shinn
Bergman	Fulton	Newberry	Slosson
Bowman	Gilchrist	Olson	Snook
Brookhart	Goodwin	Perkins	Stoddard
Brookins	Hale	Price	Thurston
Browne	Hartman	Reed	Tuck
Buser	Holdoegel	Rees	White
Caldwell	Horchem	Romkey	Wichman

Nays, 3.

Adams	Haskell	Kimberly
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Absent or not voting, 6.

Cessna	Mead	Shaff
Darting	Nelson	Smith

The motion prevailed and Senate File 384 was withdrawn.

Senator Stoddard moved that Senator Horchem's remarks concerning the withdrawal of Senate File No. 348 be printed in the Journal, which motion prevailed.

Senator Horchem's remarks follow:

MR. PRESIDENT: I wish to make a few remarks regarding Senate File No. 384—the Teachers Annuity Bill. It is a sound bill, one that commands the respect of those who have studied it. Behind it is much painstaking and careful investigation. To a large extent it has the endorsement of the leading teachers of the state, the women's clubs, the leading newspapers, many school boards and men's organizations.

The measure it proposes is a necessary part of a good school system: thirty-four or more states have already adopted it. In at least twenty-four it is statewide in its operation. Iowa needs it just as badly as other states. Her boys and girls are just as deserving of the best and so are her faithful old teachers.

1. In view of the fact that many members came to this session with pledges not to vote new appropriations,
2. In view of the fact that the financial conditions have stirred the public so that a member cannot explain his acts in voting for the Annuity at this time.

3. In view of the large appropriations that are asked for things already started—educational and correctional institutions.
4. In view of the fact that our tax system is in process of reconstruction, I feel that we should not crowd or insist upon a more thorough consideration at this time, I therefore here and now withdraw from further consideration Senate File No. 384.

In doing so, I wish to announce that the friends of the measure will continue to agitate for its adoption and that it will be presented again in the next legislature.

REPORTS OF COMMITTEES

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 591, a bill for an act to amend section 793 of the code relating to the improvement of streets by paving, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

W. G. HASKEILL, *Chairman*.

On the question, "Shall the report be adopted?" the vote was:

Ayes, 21.

Abben	Fulton	Mantz	Slosson
Banta	Goodwin	Perkins	Stoddard
Bergman	Hale	Reed	White
Brookins	Haskell	Scott	Wichman
Caldwell	Holdoegel	Shane	
Dutcher	Kimberly		

Nays, 15.

Brookhart	Ethell	Price	Snook
Buser	Hartman	Rees	Thurston
Campbell	Johnston	Romkey	Tuck
Darting	McIntosh	Shinn	

Absent or not voting, 13.

Adams	Cessna	Nelson	Shaff
Baird	Gilchrist	Newberry	Smith
Powman	Horchem	Olson	
Browne	Mead		

The committee report was adopted and the bill indefinitely postponed.

Senator Brookhart, 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. 584, a bill for an act to amend section twenty-one hundred sixty-four (2164), code of 1897, (C. C. 5324), relating to fixing the burden of proof in a certain class of actions against the telegraph or

telephone companies, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. L. BROOKHART, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 347, a bill for an act to amend chapter thirteen (13) of the supplement to the code, 1913, (C. C. sec. 2089), chapter five-b (5-b), section two hundred fifty-four-a fourteen (254-a14), relating to widows' pensions, beg leave to report it has had the same under consideration and recommends 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 two hundred fifty-four-a fourteen (254-a14) supplement to the code 1913 (C. C. sec. 2089) be amended as follows: By inserting after the comma following the word "years" the following: "who has been a resident of this state continuously for one year, and whose parent, guardian or other person having the care, custody and control of said child or children, has been a resident of this state continuously for a period of one year next preceding the time of application for the benefits of the provisions of this chapter."

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Senator Wichman submitted the following report:

MR. PRESIDENT: Your committee on elections to which was referred House File No. 379, a bill for an act to amend chapter one hundred and nine (109), acts of the Thirty-ninth General Assembly, relating to election of officials of cities under the commission form of government, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by adding thereto the following as section 2:

Sec. 2. That chapter 109, acts of the Thirty-ninth General Assembly be and the same is hereby amended by striking therefrom the phrase, "superintendent of accounts and finances, and parks and public property" wherever it appears in said act and inserting in lieu thereof the phrase, "superintendent of accounts, finances and public safety"; also, by striking from said act the phrase, "superintendent of public safety and streets and public improvements" wherever it therein appears and by inserting in lieu thereof the phrase, "superintendent of parks, public property, streets and improvements", also, by striking from said act, lines 72 to 75 both inclusive and inserting in lieu thereof, the following:

"twenty-five thousand (25,000)" the "department of accounts and finances" and "public safety" shall be presided over by one and the

same person; and the "department of parks and public property" and "streets and public improvements" shall be presided over by one and"

J. E. WICHMAN, *Chairman*.

• Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections to which was referred Senate File No. 599, a bill for an act to amend section 1137-a15 supplement to the code, 1913, relating to the use of voting machines, begs leave to report it has had the same under consideration and recommends the same do pass.

J. E. WICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections to which was referred House File No. 476, a bill for an act to amend section ten hundred eighty (1080), of the code, (C. C. sec. 414), relating to election registration lists, begs leave to report it has had the same under consideration and recommends the same do pass.

J. E. WICHMAN, *Chairman*.

Ordered passed on file.

Senator Brookins submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred House File No. 116, a bill for an act to amend, revise and codify sections two thousand seven hundred eighty-eight (2788) to two thousand seven hundred ninety-three (2793), inclusive, of the compiled code of Iowa, relating to education and the Iowa geological survey, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking from line three (3) in section ten (10) the word "field" and in lines five (5) and six (6) of section ten (10) the words "including the publication of reports or bulletins, but,".

A. T. BROOKINS, *Chairman*.

Ordered passed on file.

Senator Abben submitted the following report:

MR. PRESIDENT: Your committee on military affairs to which was referred Senate File No. 490, a bill for an act to amend section thirteen hundred four supplemental supplement to the code 1915 as amended by chapter one hundred ninety-one (191) of the Thirty-seventh G. A. and chapters one hundred fifteen (115), two hundred fourteen (214), two hundred fifty-seven (257) and three hundred seventy-seven (377) of the Thirty-eighth General Assembly (C. C. sec. 4482), relating to exemp-

tions of homes for disabled soldiers, begs leave to report it has had the same under consideration and recommends the same do pass.

BEN W. ABBEN, *Chairman.*

Ordered passed on file.

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 423, a bill for an act to compensate one Ross Seward for injuries received while an inmate of the state penitentiary at Ft. Madison, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by inserting as section two (2) the following: "that there is hereby appropriated out of any funds in the state treasury not otherwise appropriated, to the board of parole, for the use and benefit of Ross Seward, the sum of two thousand (\$2,000) to be paid to Ross Seward at the rate of fifty dollars (\$50.00) per month until the full amount has been paid, upon the following conditions—that he shall conduct himself as a law abiding citizen and upon his failure so to do, the said amount of fifty dollars (\$50.00) per month shall thereafter be paid to his wife, Mrs. Ross Seward, until the whole amount has been paid."

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 314, a bill for an act to legalize the action of the boards of supervisors of Muscatine and Louisa counties relative to the assessments against state lands in Drainage District No. 13, located in Muscatine and Louisa counties and to authorize the payment of said assessments with accrued interest, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File No. 372, a bill for an act to repeal the law as it appears in section six (6) chapter thirty-seven (37), acts of the Thirty-eighth General Assembly (S. C. C. 2457) etc., relating to the support funds of the various state institutions under the supervision of the board of control of state institutions, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 453, a bill for an act to make an appropriation for the completion of the hospital plant of the College of Medicine of the State University of Iowa and for the equipping of the same, under the direction of the State Board of Education, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 362, a bill for an act to compensate 2nd Lieutenant Charles R. Messett for injuries received in line of duty, and making an appropriation to pay such compensation, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

On motion of Senator Stoddard Senate File No. 527 was ordered returned by the committee on agriculture and referred to the committee on appropriations under the rules.

HOUSE MESSAGES CONSIDERED

House File No. 550, a bill for an act to amend section twenty-six hundred twenty-eight (2628) of the code, as amended, (S. C. C. 2295) relating to the board of educational examiners.

Read first and second times and referred to committee on educational institutions.

House File No. 518, a bill for an act to amend section five (5), chapter two hundred sixty-seven (267), acts of the Thirty-seventh General Assembly, as amended by section three (3), chapter two hundred eleven (211), acts of the Thirty-eighth General Assembly, and chapter two hundred seventy-eight (278), acts of the Thirty-ninth General Assembly (S. C. C. 7020), relating to number of petit jurors to be selected and drawn by jury commission.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 711, a bill for an act to amend the law as it appears in section twenty-five hundred eighty-nine-d (2589-d), supplement to the code, 1913, as amended by chapter ninety-five (95), acts of the Thirty-eighth General Assembly (C. C. 1420), relating to the examination and the registration of pharmacists.

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

House File No. 676, a bill for an act to legalize an ordinance of the incorporated town of Ringsted, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town.

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

House File No. 670, a bill for an act to legalize the certification by the county auditor, Bremer County, Iowa, of the annual levy for school purposes for the school year 1922-1923 of the independent school district No. one (1), Douglas township, Bremer county, Iowa, to the sum of eight hundred dollars (\$800.00).

Read first and second time and referred to committee on judiciary No. 2.

House File No. 578, a bill for an act to authorize the issuance of a patent to certain lands in Jones County, Iowa, to S. G. Matson.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 673, a bill for an act to legalize an ordinance of the incorporated town of Wallingford, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 674, a bill for an act to legalize an ordinance of the incorporated town of Dolliver, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 675, a bill for an act to legalize an ordinance of the incorporated town of Gruver, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 636, a bill for an act to legalize the acts and proceedings in relation to drainage district number twenty-eight (28), Polk county, Iowa.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 639, a bill for an act to legalize the acts and proceedings in relation to drainage district number thirty (30), Polk county, Iowa.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 583, a bill for an act to legalize ordinances and amendments to ordinances of the city of Independence, Buchanan county, Iowa.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 460, a bill for an act to amend section twelve hundred fifty-eight-c (1258-c) of the supplement to the code, 1913, as amended by chapter three hundred ninety-one (391) of the acts of the Thirty-seventh General Assembly (C. C. sec. 649) relating to the removal of public officers and to extend the provisions thereof to include appointive officers.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 468, a bill for an act to amend section three thousand three hundred four (3304) of the code (C. C. 7826), relating to notice of appointment of executors and administrators, and legalizing notice of appointment given prior to January 1, 1920.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 234, a bill for an act to amend, revise and codify section seventy-seven hundred fifty-nine (7759) of the compiled code of Iowa, relating to the examination of debtors in proceedings auxiliary to execution.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 213, a bill for an act to amend, revise and codify

sections sixty-five hundred eighty-nine (6589), sixty-five hundred ninety (6590), sixty-five hundred ninety-six (6596), and sixty-six hundred of the compiled code of Iowa, and section eighty-six hundred eighteen (8618) of the supplement to said code, relating to marriage and incest.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 210, a bill for an act to amend, revise and codify sections sixty-two hundred five (6205) and sixty-two hundred six (6206) of the compiled code of Iowa, relating to unfair discrimination.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 156, a bill for an act to amend, revise and codify sections three thousand five hundred seventy-five (3575), three thousand five hundred seventy-seven (3577), and three thousand five hundred seventy-eight (3578) of the compiled code of Iowa, and section three thousand five hundred eighty (3580) of the supplement to said code, relating to municipal corporations.

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

House File No. 148, a bill for an act to amend, revise and codify chapter twenty (20) of title twelve (12) of the compiled code of Iowa, relating to changing names of villages.

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

House File No. 160, a bill for an act to amend, revise and codify sections three thousand six hundred eighty-seven (3687), three thousand seven hundred (3700) and three thousand seven hundred three (3703) of the compiled code of Iowa, relating to municipal corporations.

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

House File No. 584, a bill for an act to amend section fifty-two hundred forty-six (5246) of the supplement to the code, 1913, (C. C. 9306-7) relating to the drawing of grand jurors.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 681, a bill for an act to require the labelling of mattresses and comforts, to prohibit the use of infectious, unsanitary, unhealthful, or second-hand material in their manufacture, and to prohibit any person from manufacturing, selling, offering or consigning for sale, or having in his possession with intent to sell, offer for sale, or consign for sale, any mattress or comfort, unless the same be made wholly of new material and labelled as hereinafter provided, and repealing chapter four hundred six (406), acts of the Thirty-seventh General Assembly.

Read first and second time and referred to the committee on public health.

THIRD READING OF BILLS

On motion of Senator Buser Senate File No. 367, a bill for an act to amend the law as it appears in section 9 of chapter 237 acts of the Thirty-eighth General Assembly (C. C. sec. 2917) limiting the authority of the highway commission as to the change in the location of primary roads, was taken up and considered having been withdrawn from the committee on highways.

Senator Buser moved that the bill be 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, 21.

Bergman	Ethell	Mead	Shinn
Brookhart	Fulton	Nelson	Snook
Browne	Gilchrist	Price	Thurston
Buser	Hartman	Rees	Tuck
Campbell	Johnston	Romkey	
Cessna	McIntosh		

Nays, 25.

Abben	Caldwell	Kimberly	Scott
Adams	Goodwin	Mantz	Shaff
Baird	Hale	Newberry	Shane
Banta	Haskell	Olson	Slosson
Bowman	Holdoegel	Perkins	Stoddard
Brookins	Horchem	Reed	White
			Wichman

Absent or not voting, 3.

Darting	Dutcher	Smith
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Buser Senate File No. 525, a bill for an

act authorizing drainage districts to issue funding bonds for the purpose of settling, adjusting, renewing and extending the legal indebtedness they may have or any part thereof, was taken up and considered, the bill having been reported out without recommendation.

Senator Buser offered the following amendment and moved its adoption:

Amend by inserting in line 1 of section 1 following the word "district" the words "having and operating a pumping station".

The amendment was adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking from line 2 of section 7 the word "chapter" and inserting in lieu thereof the word "act."

The amendment was adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking from line 2 of section 10 the words "drainage laws of the state of Iowa" and inserting in lieu thereof the words "provisions of this act".

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 40.

Adams	Cessna	Horchem	Reed
Baird	Darting	Johnston	Romkey
Banta	Ethell	Kimberly	Scott
Bergman	Fulton	McIntosh	Shaff
Bowman	Gilchrist	Mantz	Shane
Brookhart	Goodwin	Nelson	Slosson
Brookins	Hale	Newberry	Snook
Browne	Hartman	Olson	Stoddard
Buser	Haskell	Perkins	Thurston
Campbell	Holdoegel	Price	Wichman

Nays, none.

Absent or not voting, 9.

Abben	Mead	Smith	White
Caldwell	Rees	Tuck	
Dutcher	Shinn		

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

INTRODUCTION OF BILLS

Senate File No. 699, by committee on appropriations, a bill for an act to provide for the cooperation of the state of Iowa in the payment for the creation of an outlet to the ocean for the products of the Mississippi Valley by way of the Great Lakes and the St. Lawrence river, and making an appropriation to meet the expenses of such cooperation.

Read first and second times and ordered on the calendar.

The Journal of March 20th was corrected and approved.

Senator Newberry moved that the Senate adjourn until 4:30 p. m.

Senator Shinn moved to amend by making the hour 9 a. m. Thursday.

The amendment was adopted and the Senate adjourned until 9 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, March 22, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. David Alexander, pastor of the First Baptist church of Grundy Center, Iowa.

On motion of Senator Holdoegel rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

Senator Rees presented a petition from the Mason City Chamber of Commerce, opposing House File No. 458, proposing a general state income tax. Referred to committee on ways and means.

Senator Hartman presented a petition from cigar and tobacco dealers of Oelwein protesting Senate File 482, proposing a tax on cigars and tobacco. Referred to committee on ways and means.

Senator Hartman presented a petition from Lodge 67, Modern Brotherhood of America, Waukon, endorsing House File 544, relative to fraternal beneficiary societies. Referred to committee on insurance.

Petitions from the Brotherhood of American Yeomen endorsing House File 544 were presented by Senator Rees from Homestead 1349, Hepburn; by Senator Hartman from Homesteads 256 and 297, Postville and Lansing; by Senator Price from Homesteads at Knoxville, Swan and Dallas. All were referred to the committee on insurance.

REPORTS OF COMMITTEES

Senator Ethell submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred House File No. 424, a bill for an act to amend and revise section two hundred fifty-four-a20 (254-a20), supplement to the code, 1913, as amended by chapter one hundred seven (107), acts of the Thirty-eighth (38) General Assembly, chapter fifty-one (51), acts of the

Thirty-ninth (39) General Assembly, and chapter two hundred fifty-two (252), acts of the Thirty-ninth General Assembly (S. C. C. sec. 2104), relating to financial aid to widowed mothers of dependent or neglected children, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the last word in line 11 and first word in line 12 of section 1, "six months" and insert in lieu thereof the words "one year".

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred House File No. 297, a bill for an act to repeal the law as it appears in chapter one hundred seventy-seven (177) of the laws of the Thirty-ninth (39th) General Assembly, relating to inventory by public officers, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 636, a bill for an act providing that expense incurred by county officials attending state conventions of county officials shall not be paid from county funds, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 678, a bill for an act to amend section 1528, supplement to the code of 1913 (C. C. 2970) relating to working roads, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 634, a bill for an act to repeal sections two thousand three hundred forty-eight-a (2348-a), two thousand three hundred forty-eight-d (2348-d), and two thousand three hundred forty-eight-g (2348-g) of the supplement to the code, 1913, (C. C. sections 3358, 3361, and 3364) relating to bounties to be paid on groundhogs, gophers, and rattlesnakes caught and killed, begs leave to report it has the

same under consideration and recommends the same be indefinitely postponed.

JOHN J. ETHELL, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred House File No. 390, a bill for an act to amend section one thousand five hundred sixty-five-c (1565-c) of the supplement to the code, 1913, as amended by chapter two hundred eighty (280) acts of the Thirty-ninth General Assembly (C. C. 3003) relating to the destruction of noxious weeds, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

JOHN J. ETHELL, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 585, a bill for an act to amend chapter forty-one (41), of the acts of the Thirty-eighth (38) General Assembly (C. C. sec. 2091) relating to the salaries of probation officers in counties of thirty-five thousand or more in population, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

JOHN J. ETHELL, *Chairman*.

Senator Romkey invoked rule 8.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 22.

Banta	Hartman	Rees	Smith
Bergman	Haskell	Romkey	Snook
Buser	Johnston	Shane	Stoddard
Campbell	Nelson	Shinn	Thurston
Cessna	Price	Slosson	Tuck
Ethell	Reed		

Nays, 25.

Abben	Caldwell	Hale	Newberry
Adams	Darting	Holdoegel	Perkins
Baird	Dutcher	Horchem	Scott
Bowman	Fulton	Kimberly	Shaff
Brookhart	Gilchrist	McIntosh	White
Brookins	Goodwin	Mantz	Wichman
Browne			

Absent or not voting, 2.

Mead Olson

The report of the committee was rejected and the bill ordered placed on the calendar.

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. 614, a bill for an act to amend section 1, of chapter 296, acts of the 39th General Assembly, and section 2, of chapter 296, acts of the 39th General Assembly, relating to the appropriation of state funds to meet the federal appropriation aiding vocational education begs leave to report it has had the same under consideration and recommends the same do pass after being referred to the committee on appropriations.

BYRON W. NEWBERRY, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on public schools to whom was referred Senate File No. 613, a bill for an act to repeal sections 7 and 8, chapter 14, acts of the 39th General Assembly, and enacting substitutes therefor, relating to vocational education, begs leave to report it has had the same under consideration and recommends the same do pass after being referred to the committee on appropriations.

BYRON W. NEWBERRY, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on public schools to whom was referred Senate File No. 537, a bill for an act to amend chapter two hundred ninety (290), acts of 37th General Assembly, as amended by chapter three hundred thirty-seven (337), acts of 38th General Assembly, relating to vocational education, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

BYRON W. NEWBERRY, *Chairman*.

On motion of Senator Smith the report of the committee was rejected and Senate File 537 was referred to the committee on appropriations.

Senator Brookhart, 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. 327, a bill for an act to amend the law as the same appears in chapter eight-a title XII (8-a title XII) supplement to the code, 1913, (C. C. chapter 3 title V), relating to employers' liability and workmen's compensation for personal injuries sustained by an employe, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. L. BROOKHART, *Chairman*.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 29.

Abben	Darting	McIntosh	Slosson
Adams	Dutcher	Mead	Smith
Baird	Fulton	Nelson	Stoddard
Banta	Hale	Olson	Tuck
Bergman	Hartman	Scott	White
Brookins	Haskell	Shaff	
Caldwell	Holdoegel	Shane	
Cessna	Kimberly	Shinn	

Nays, 16.

Brookhart	Gilchrist	Newberry	Romkey
Browne	Goodwin	Price	Snook
Campbell	Horchem	Reed	Thurston
Ethell	Johnston	Rees	Wichman

Absent or not voting, 4.

Bowman	Buser	Mantz	Perkins
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The report was adopted and the bill indefinitely postponed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 131, 147, 161, 389 and 455.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report 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 indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 149, a bill for an act to amend, revise and codify sections thirty-three hundred eighty-five (3385) and thirty-three hundred ninety-nine (3399) of the compiled code of Iowa, relating to land surveys.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 340, a bill for an act to accept the provisions and the benefits of an act of congress, approved on the twenty-third day of November, nineteen hundred twenty-one, relating to appropriations to the several states for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes; to designate the state agency; to provide

for the proper custody and administration of funds received by the state from such appropriations; and to make an appropriation therefor.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 128, a bill for an act to amend, revise and codify sections three thousand thirty-seven (3037), three thousand forty (3040), three thousand forty-two (3042), three thousand forty-three (3043) and three thousand forty-four (3044) of the compiled code of Iowa, relating to the use of public highways.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 307, a bill for an act to amend sections 13, 14, 17, 18, and 36 of chapter 237 of the acts of the Thirty-eighth General Assembly, and acts amendatory thereto, relating to the amount of assessment that may be levied against abutting and adjacent property for the hard surfacing of a primary road.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Baird, House File No. 360, a bill for an act to amend sections four (4), eleven (11), and twelve (12), of chapter one hundred twenty (120), of the acts of the Thirty-ninth General Assembly, relating to mutual insurance associations, was taken up and considered, the report of the committee for indefinite postponement having been rejected.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 43.

Abben	Ethell	Mead	Shane
Baird	Gilchrist	Nelson	Shinn
Banta	Goodwin	Newberry	Slosson
Bergman	Hale	Olson	Smith
Brookhart	Hartman	Perkins	Snook
Brookins	Haskell	Price	Stoddard
Browne	Holdoegel	Reed	Thurston
Buser	Horchem	Rees	Tuck
Campbell	Johnston	Romkey	White
Cessna	Kimberly	Scott	Wichman
Dutcher	McIntosh	Shaff	

Nays, 2.

Darting Fulton

Absent or not voting, 4.

Adams	Bowman	Caldwell	Mantz
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Thurston moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Brookins, Senate File No. 507, a bill for an act to amend section four thousand eleven (4011) of the code, 1897 (C. C. section 7730), pertaining to exemption from liability for debt, was taken up and considered, the committee having reported the bill out without recommendation.

The following committee amendment was adopted:

Amend by striking out all after the enacting clause and substituting the following:

Section 1. That section four thousand eleven (4011) of the code, 1897 (C. C. sec. 7730), be and the same is hereby amended by adding after the word "debt" in line four (4) thereof the following: "to an amount not to exceed twenty dollars per week".

Sec. 2. This act shall not apply to debts contracted prior to the taking effect thereof.

Senator Romkey offered the following amendment and moved its adoption:

Amend by striking out the word "twenty" in line 4 of section 1 and inserting in lieu thereof the word "twenty-five".

The amendment was adopted.

Senator Price moved the previous question, which motion prevailed and the previous question was ordered.

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

Senator McIntosh invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 13.

Abben	Brookins	Mead	Rees
Adams	Darting	Nelson	Smith
Banta	Hale	Reed	
Bergman	McIntosh		

Nays, 28.

Baird	Campbell	Gilchrist	Horchem
Brookhart	Dutcher	Goodwin	Johnston
Browne	Ethell	Haskell	Newberry
Buser	Fulton	Holdoegel	Olson

Perkins	Scott	Slosson	Thurston
Price	Shane	Snook	White
Romkey	Shinn	Stoddard	Wichman

Absent or not voting, 8.

Bowman	Cessna	Kimberly	Shaff
Caldwell	Hartman	Mantz	Tuck

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Campbell moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator McIntosh moved that the Senate adjourn until 2 p. m.

Senator Price moved to amend by making the hour 1:30 p. m.

The amendment was lost.

Senator Price moved to amend by making the hour 9 a. m. Friday.

The amendment was lost.

The Senate adjourned until 2 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

On motion of Senator Smith House File No. 479 was substituted for Senate File No. 441.

THIRD READING OF BILLS

On motion of Senator Smith House File No. 479, a bill for an act making appropriation for carrying out the provisions of chapter two hundred ninety-nine (299), acts of the Thirty-eighth General Assembly (C. C. sec. 1286) relating to public health, having been substituted for Senate File No. 441, was taken up and considered.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Bowman	Cessna	Hale
Adams	Brookhart	Dutcher	Hartman
Baird	Brookins	Ethell	Haskell
Banta	Caldwell	Gilchrist	Holdoegel
Bergman	Campbell	Goodwin	Horchem

Johnston	Olson	Shane	Stoddard
Kimberly	Rees	Slosson	Thurston
Mantz	Scott	Smith	Tuck
Mead	Shaff	Snook	Wichman
Nelson			

Nays, 1.

McIntosh

Absent or not voting, 11.

Browne	Fulton	Price	Shinn
Buser	Newberry	Reed	White
Darting	Perkins	Romkey	

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

By unanimous consent Senator Smith withdrew Senate File No. 441 from further consideration.

On motion of Senator Goodwin House File No. 284 was substituted for Senate File No. 296.

On motion of Senator Goodwin House File No. 284, a bill for an act to repeal section twenty-one hundred twenty-eight (2128) (C. C. 5179) of the code, relating to schedules of rates and fares, and the powers and duties of the board of railroad commissioners with respect thereto, and to enact a substitute therefor, having been substituted for Senate File No. 296, was taken up and considered.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Abben	Darting	Kimberly	Romkey
Adams	Dutcher	Mantz	Scott
Baird	Ethell	Mead	Shaff
Banta	Gilchrist	Nelson	Shane
Bergman	Goodwin	Newberry	Snook
Bowman	Hale	Olson	Stoddard
Brookhart	Hartman	Perkins	Thurston
Brookins	Haskell	Price	Tuck
Caldwell	Holdoegel	Reed	White
Campbell	Horchem	Rees	Wichman
Cessna	Johnston		

Nays, 1.

Fulton

Absent or not voting, 6.

Browne	McIntosh	Slosson	Smith
Buser	Shinn		

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

By unanimous consent Senator Goodwin withdrew Senate File No. 296 from further consideration.

On motion of Senator Goodwin House File No. 285 was substituted for Senate File No. 295.

On motion of Senator Goodwin, House File No. 285, a bill for an act to repeal sections twenty-one hundred twenty-six ((2126) (C. C. 5177) and twenty-one hundred forty-six (2146) (C. C. 5201) of the code, and to enact a substitute therefor, and to repeal section twenty-one hundred forty-five (2145) (C. C. 5200) of the supplement to the code, 1913, all relating to the powers and duties of the board of railroad commissioners and the regulation of carriers, having been substituted for Senate File No. 295, was taken up and considered.

Senator Goodwin offered the following amendment and moved its adoption:

Amend House File No. 285 by striking out the following words, as they appear in the bill as amended by amendment appearing in the House Journal of March 10, beginning in the tenth line on page No. 798: "but, in exercising the authority conferred upon it in this proviso, the board of railroad commissioners shall not permit the establishment of any charge to or from the more distant point that is not reasonably compensatory for the service performed."

The amendment was adopted.

Senator Price offered the following amendment and moved its adoption:

Amend by inserting the word "new" between the words "any" and "industry" in line 12 of section 3.

The amendment was adopted.

The bill was read for information.

On motion of Senator Brookhart further action on House File No. 285 was deferred.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files Nos. 131, 147, 161, 389, and 455.

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. 370, a bill for an act to establish and locate three additional normal training schools, and make appropriations for purchase of sites, erection of buildings, and support of such schools, beg leave to report it has had the same under consideration and recommends the same be referred to the committee on appropriations.

BYRON W. NEWBERRY, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on public schools to whom was referred Senate File No. 396, a bill for an act establishing the qualifications of teachers of agriculture and of normal training critic teachers in approved high schools of Iowa, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the words "and of normal training critic teachers" in the title thereof.

Also amend by striking out the words "and all normal training critic teachers" in lines one (1) and two (2) of section 1 of the bill.

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to whom was referred Senate File No. 542, a bill for an act relating to levying of a school-house tax by independent school districts and issuing certificates on bonds in anticipation of collection of such tax and providing for special school-house fund, beg leave to report it has had the same under consideration and recommends the same do pass.

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Senator Scott submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred House File No. 426, a bill for an act to amend section one (1) of chapter one hundred twenty (120) acts of the Thirty-ninth General Assembly, relating to the organization, regulation, taxation and operation of mutual insurance associations, begs leave to report it has had the same under consideration and recommends the same do pass.

R. P. SCOTT, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 561, a bill for an act to amend section seventeen hundred forty-six (1746) of the code (C. C. 5662), relating to insurance other than life, begs leave to report it has had the same under consideration and recommends the same do pass.

R. P. SCOTT, *Chairman*.

Ordered passed on file.

Senator Buser submitted the following report :

MR. PRESIDENT: Your committee on agriculture to which was referred House File No. 281, a bill for an act to amend section ten (10) chapter two hundred eighty-seven (287), laws of the 38th General Assembly relating to the basis of valuation of tubercular cattle, begs leave to report it has had the same under consideration and recommends the same do pass.

J. D. BUSER, *Chairman*.

Ordered passed on file.

Senator McIntosh, from the committee on suppression of intemperance, submitted the following report :

MR. PRESIDENT: Your committee on suppression of intemperance to whom was referred House File No. 537, a bill for an act to repeal the law as it appears in section 2413, supplemental supplement to the code, 1915, as amended and to enact a substitute therefor, relating to the information as to search warrants, providing for the seizure of intoxicating liquors, etc., beg leave to report it has had the same under consideration and recommends the same do pass.

J. A. MCINTOSH, *Chairman*.

Ordered passed on file.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist, from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT: Your committee on enrolled bills respectfully reports it has on this 22d day of March, 1923, sent to the governor for his approval, Senate Files Nos. 131, 147, 161, 389 and 455.

F. C. GILCHRIST, *Chairman*.

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption :

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files 270, 300, 369, 457 and 646.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

• Senator Gilchrist from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 290 and 512.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

Senator Buser moved that the committee on highways be requested to refer House File No. 307 to the same sub-committee that is considering Senate Files Nos. 277 and 399 and that they all be reported out at the same time, which motion prevailed.

On motion of Senator Cessna Senate File No. 594 was made a special order for 10 a. m. tomorrow.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: House Files 270, 300, 369, 457, 477 and 646.

HOUSE MESSAGES CONSIDERED

House File No. 307 a bill for an act to amend sections 13, 14, 17, 18, and 36 of chapter 237 of the acts of the 38th General Assembly, and acts amendatory thereto, relating to the amount of assessment that may be levied against abutting and adjacent property for the hard surfacing of a primary road.

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

House File No. 340, a bill for an act to accept the provisions and benefits of an act of congress, approved on the twenty-third day of November nineteen hundred twenty-one, relating to appropriations to the several states for the promotion of the wel-

fare and hygiene of maternity and infancy, and for other purposes; to designate the state agency; to provide for the proper custody and administration of funds received by the state from such appropriations; and to make an appropriation therefor.

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

House File No. 128, a bill for an act to amend, revise and codify sections three thousand thirty-seven (3037), three thousand forty (3040), three thousand forty-two (3042), three thousand forty-three (3043) and three thousand forty-four (3044) of the compiled code of Iowa, relating to the use of public highways.

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

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 565 by striking out all of the title and inserting in lieu thereof the following:

A BILL FOR

An act to repeal sections two thousand six hundred twenty-f (2620-f) and two thousand six hundred twenty-h (2620-h) supplemental supplement to the code, 1915 (C. C. secs. 1239 and 1241) and to enact substitutes therefor relating to the board of accountancy and to provide for the payment of annual dues.

Also amend by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. That section two thousand six hundred twenty-f (2620-f) supplemental supplement to the code, 1915 (C. C. sec. 1239) be and it is hereby repealed and the following enacted in lieu thereof: "Sec. 2620-f. The board of accountancy shall register the certificate of any person whether resident or nonresident of this state, who is the lawful holder of an unrevoked C. P. A. certificate issued under the laws of another state, provided that the requirements of said degree in the state which has granted it to the applicant are equivalent to those herein provided, and that of holders of a degree of certified public accountant or chartered accountant or the equivalent thereof, issued by any foreign government, provided the requirements of such degree are equivalent to those herein provided for the degree of certified public accountant. Such applicant shall, before the registration of such certificate pay to the board of accountancy the sum of twenty-five dollars, and shall be likewise subject to all the provisions of the law applicable to certified public accountants including the payment of annual dues."

Sec. 2. That section two thousand six hundred twenty-h (2620-h)

supplemental supplement to the code, 1915, (C. C. sec. 1241) be and it is hereby repealed and the following enacted in lieu thereof: "Sec. 2620-h. No compensation shall be paid any member of the board of accountancy for his services. All bills for expenses shall be audited and allowed by the state board of audit, and shall be paid from the fees received. But in no event shall the state be chargeable with any expense incurred under the provisions of this act. Any sum remaining after the payment of expenses shall be paid into the state treasury on or before the first day of January in each year. The treasurer of the board shall on assuming his office, file with the secretary of state a bond in the penal sum of one thousand dollars."

Sec. 3. That immediately following section two thousand six hundred twenty-h (2620-h) supplemental supplement to the code, 1915, (C. C. sec. 1241) there be inserted the following: "Sec. 2620-i. All holders of certificates and those whose certificates have been registered as provided in this act shall pay to the treasurer of the board for disposition as provided herein the sum of five dollars (\$5.00), on the first day of January in each year. Failure to pay such annual dues shall operate to suspend the certificate or registration and all rights thereunder of the person failing so to pay during the period of delinquency."

Sec. 4. That all sections succeeding section two thousand six hundred twenty-h (2620-h) supplemental supplement to the code, 1915, (C. C. sec. 1241) be renumbered to conform with the provisions of this act.

J. C. TUCK.

The Journal of March 21st was corrected and approved.

Senator Haskell moved that the Senate adjourn until 9:00 a. m. Friday.

Senator Holdoegel moved that Senate File No. 472 be withdrawn from the committee.

Senator Haskell raised the point of order that there was a motion to adjourn pending.

The President held the point well taken.

The motion prevailed and the Senate adjourned until 9:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, March 23, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by W. Bode, president of the Grundy College, of Grundy Center, Iowa.

On motion of Senator Darting rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Wichman for the day on request of Senator Holdoegel.

PETITIONS AND MEMORIALS

Senator Holdoegel presented petition from cigar and tobacco users of Fort Dodge protesting the proposed tobacco tax. Referred to committee on ways and means.

Senator McIntosh presented a petition from the women's department of the Decatur County Farm Bureau urging acceptance of the provisions of the Sheppard-Towner Act. Referred to committee on appropriations.

Senator Price presented a petition from the United Mine Workers of America, Melcher, protesting Senate File No. 507 relative to garnishment of wages. Referred to committee on judiciary No. 2.

Petitions from the Modern Woodmen protesting House File No. 544 were presented by Senator Brookhart from Ainsworth and Geneva Camps and by Senator Price from Dallas Camp. Referred to committee on insurance.

REPORTS OF COMMITTEES

Senator Reed, 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. 437, a bill for an act to amend the law as it

appears in section four thousand nine hundred and thirty-eight-a (4938-a) of the law as it appears in the supplement to the code, 1913, (C. C. 8803) relative to lewd, immoral and lascivious acts with children, and providing the penalty for the violation thereof, beg leave to report it has had the same under consideration and recommends the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 437

A BILL FOR

An act to amend an act of the Fortieth (40th) General Assembly approved by the Governor on February 10, 1923, and entitled "An act to amend, revise and codify section eighty-eight hundred three (8803) of the compiled code of Iowa, relating to immoral and lascivious acts with or in the presence of children", and known as Senate File No. 249.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section one (1) of an act of the Fortieth (40th) General Assembly and approved February tenth (10), nineteen hundred twenty-three (1923), and entitled "An act to amend, revise and codify section eighty-eight hundred three (8803) of the compiled code of Iowa, relating to immoral and lascivious acts with or in the presence of children", and known as Senate File Number 249, is amended by striking therefrom the following word, characters, and figures, to wit: "thirteen (13)", and by inserting in lieu thereof the following word, characters, and figures, to wit: "sixteen (16)."

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred Senate File No. 630, a bill for an act invalidating certain state warrants and providing for the issuance of new warrants therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 547, a bill for an act to legalize certain warrants issued by Mills County on the bridge, road and general funds and to authorize the execution and sale of bonds to fund the same, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 645, a bill for an act to amend section one (1) of chapter two hundred and ten (210) acts of the Thirty-ninth (39th) General Assembly relating to contracts and maintenance bonds for street and sewer improvements, begs leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 631, a bill for an act to amend title nine (IX) chapter five (V), of the code, (C. C. title 28, chapter 8), relating to venue of actions to collect assessments levied to pay losses by hailstorms, beg leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Strike out the words "where the loss occurred or" in lines three (3) and four (4) of paragraph two (2) in section one (1).

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 681, a bill for an act to amend section twenty-seven hundred sixty (2760) of the compiled code, relating to certain charges by the curator of the historical department for certified copies of certain documents, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 671, a bill for an act additional to title ten (10), chapter two-A (2-A) of the supplement to the code 1913, providing for the removal of illegality or uncertainty in contracts relating to drainage improvements and providing for the reassessment of land where assessments have been adjudged to be void for jurisdictional defects, or for illegality or uncertainty in such contracts, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 610, a bill for an act to amend sections seventy-one hundred fifty-nine (7159), seventy-one hundred sixty (7160), seventy-one hundred sixty-two (7162), seventy-one hundred ninety-eight (7198) and seventy-four hundred fifty-one (7451) of the compiled code, relating to civil practice and procedure, begs leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 673, a bill for an act to legalize an ordinance of the incorporated town of Wallingford, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town, begs leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 674, a bill for an act to legalize an ordinance of the incorporated town of Dolliver, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town, begs leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 675, a bill for an act to legalize an ordinance of the incorporated town of Gruver, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town, begs leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 676, a bill for an act to legalize an ordinance of

the incorporated town of Ringsted, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town, begs leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Senator Brookhart, 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. 624, a bill for an act to legalize one hundred twenty-five thousand dollars (\$125,000.00) courthouse bonds of Calhoun County, Iowa, and to authorize the issuance of one hundred twenty-five thousand (\$125,000.00) dollars refunding bonds of said county for the purpose of refunding said courthouse bonds, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 656, a bill for an act to create a literacy commission; to provide for the membership thereof, and for the appointment of an executive secretary; to fix the salary, to locate the office, and to make an appropriation therefor, beg leave to report it has had the same under consideration and recommends the same do pass after being referred to the committee on appropriations.

J. L. BROOKHART, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred House File No. 413, a bill for an act to amend section thirty-one hundred eighty-eight (3188) of the code (C. C. 6637) relating to the period of minority of both sexes, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by adding thereto the following:

Sec. 2. This act shall not apply to unmarried females who shall have attained the age of eighteen on or prior to July 4, 1923.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Senator Scott submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred House File No. 350, a bill for an act to amend section eighteen hundred

thirty-nine-l (1839-l), supplement to the code, 1913, (C. C. 5533) 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, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

R. P. SCOTT, *Chairman*.

The report was adopted and the bill indefinitely postponed.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had on March 21st signed Senate Files Nos. 568, 272, and on March 22d, Senate Files Nos. 131, 147, 161, 389, 455.

THIRD READING OF BILLS

On motion of Senator Brookhart, Senate File No. 302, a bill for an act to amend section two thousand fifty-six (2056) of the code (C. C. Sec. 5077), relating to double damage for loss occasioned by fires caused by the operation of a railway, was taken up and considered, the report of the committee recommending indefinite postponement having been rejected.

Senator Brookhart offered the following amendment and moved its adoption:

Amend Senate File No. 302 by striking out of section one all after the word "six" in line three, and inserting in lieu thereof the following:

"All after the comma following the word 'extent' and insert in lieu thereof the following: 'except that the provisions as to double damage shall apply only to grain crops in the field'."

Senator Brookhart offered the following amendment to the amendment and moved its adoption:

Amend by striking the period at the end thereof and adding the words "and except the notice shall be sixty days".

The amendment was adopted.

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

Senator Brookhart invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 23.

Bowman	Cessna	Nelson	Smith
Brookhart	Ethell	Newberry	Snook
Brookins	Gilchrist	Reed	Thurston
Browne	Johnston	Romkey	Tuck
Buser	McIntosh	Shinn	White
Campbell	Mantz	Slosson	

Nays, 23.

Abben	Darting	Holdoegel	Price
Adams	Fulton	Horchem	Rees
Baird	Goodwin	Kimberly	Scott
Banta	Hale	Mead	Shaff
Bergman	Hartman	Olson	Stoddard
Caldwell	Haskell	Perkins	

Absent or not voting, 3.

Dutcher	Shane	Wichman
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Cessna, Senate File No. 565, a bill for an act to repeal chapter one hundred thirty-four (134), acts of the Thirty-sixth (36) General Assembly (S. C. C. title XII, Chap. 22), relating to the certification and examination of public accountants, with report of committee recommending passage, was taken up, considered.

Senator Tuck offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. That section two thousand six hundred twenty-f (2620-f) supplemental supplement to the code, 1915 (C. C. sec. 1239) be and it is hereby repealed and the following enacted in lieu thereof: "Sec. 2620-f. The board of accountancy shall register the certificate of any person whether resident or nonresident of this state, who is the lawful holder of an unrevoked C. P. A. certificate issued under the laws of another state, provided that the requirements of said degree in the state which has granted it to the applicant are equivalent to those herein provided, and that of holders of a degree of certified public accountant or chartered accountant or the equivalent thereof, issued by any foreign government, provided the requirements of such degree are equivalent to those herein provided for the degree of certified public accountant. Such applicant shall, before the registration of such certificate pay to the board of accountancy the sum of twenty-five dollars, and shall be likewise subject to all the provisions of the law applicable to certified public accountants including the payment of annual dues."

Sec. 2. That section two thousand six hundred twenty-h (2620-h) supplemental supplement to the code, 1915, (C. C. sec. 1241) be and it is

hereby repealed and the following enacted in lieu thereof: "Sec. 2620-h. No compensation shall be paid any member of the board of accountancy for his services. All bills for expenses shall be audited and allowed by the state board of audit, and shall be paid from the fees received. But in no event shall the state be chargeable with any expense incurred under the provisions of this act. Any sum remaining after the payment of expenses shall be paid into the state treasury on or before the first day of January in each year. The treasurer of the board shall on assuming his office, file with the secretary of state a bond in the penal sum of one thousand dollars."

Sec. 3. That immediately following section two thousand six hundred twenty-h (2620-h) supplemental supplement to the code, 1915, (C. C. sec. 1241) there be inserted the following: "Sec. 2620-l. All holders of certificates and those whose certificates have been registered as provided in this act shall pay to the treasurer of the board for disposition as provided herein the sum of five dollars (\$5.00), on the first day of January in each year. Failure to pay such annual dues shall operate to suspend the certificate or registration and all rights thereunder of the person failing so to pay during the period of delinquency."

Sec. 4. That all sections succeeding section two thousand six hundred twenty-h (2620-h) supplemental supplement to the code, 1915, (C. C. sec. 1241) be renumbered to conform with the provisions of this act.

Senator Reed offered the following amendment to the amendment and moved its adoption:

Amend by adding to section 2 the following:

"The board shall make a report biennially to the Governor of its proceedings, with an account of all moneys received and disbursed, a list of names of all persons whose certificates have been revoked, together with recommendations, if any, for new legislation, and such other matters as the board may deem proper."

The amendment to the amendment was adopted.

The amendment was adopted.

The bill was read for information.

Senator Cessna moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Browne	Ethell	Kimberly
Adams	Buser	Fulton	McIntosh
Baird	Caldwell	Gilchrist	Mantz
Banta	Campbell	Goodwin	Newberry
Bergman	Cessna	Hartman	Perkins
Brookhart	Darting	Haskell	Reed
Brookins	Dutcher	Horchem	Rees

Romkey
Scott
Shane

Shinn
Slosson
Smith

Snook
Stoddard
Thurston

Tuck
White

Nays, 3.

Hale

Johnston

Shaff

Absent or not voting, 7.

Bowman
Holdoegel

Mead
Nelson

Olson
Price

Wichman

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Tuck offered the following amendment to the title and moved its adoption:

Amend by striking out all of the title and inserting in lieu thereof the following:

A BILL FOR

An act to repeal sections two thousand six hundred twenty-f (2620-f) and two thousand six hundred twenty-h (2620-h) supplemental supplement to the code, 1915 (C. C. secs. 1239 and 1241) and to enact substitutes therefor relating to the board of accountancy and to provide for the payment of annual dues.

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Cessna, Senate File No. 594, a bill for an act creating a department of agriculture; providing for the election of a secretary of agriculture; conferring on the department of agriculture certain powers and duties; conferring on the secretary of agriculture the powers and duties now executed by the existing department of agriculture, including the horticultural association, weather and crop service department, the commission of animal health, state veterinarian, corn and small grain producers' association, beef breeders' association, state dairy association, forestry commission, geological survey, state oil inspector, board of conservation, inspector of weights and measures, all hotel inspectors and inspectors of eating houses, ice cream manufacturers, bakeries, grocery stores, and candy manufacturers, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Cessna offered the following amendment to the committee amendment and moved its adoption:

Amend as follows.

1. By striking out paragraph eleven (11) of section one (1) and by inserting in lieu thereof the following:

"11. The statutory agency which embraces the licensing and inspecting

of hotels and restaurants."

2. By striking out sections thirteen (13) and fourteen (14) and by inserting in lieu thereof the following:

"Sec. 13. Hotel License and Inspection.

On July first (1), nineteen hundred twenty-three (1923), the state board of health and the hotel inspector shall deliver to the secretary of agriculture all books, documents, records, and property pertaining to the licensing and inspecting of hotels and restaurants, and from and after said date the hotel inspector and said board of health are relieved of all right or duty to administer said agency.

Sec. 14. Duty and Power of Secretary.

The secretary of agriculture shall receive the matters and things enumerated in the last preceding section and from and after said date shall be invested with and shall perform and execute all the powers and duties heretofore performed and executed either by the state board of health or by the hotel inspector with reference to the licensing and inspecting of hotels and restaurants."

The amendment was adopted.

Senator Price raised the point of order that Senator Buser was discussing the main question instead of the pending amendment.

The President held the point well taken.

Senator Newberry offered the following as a substitute for the committee amendment to Senate File No. 594, appearing on pages 864, 865, 866 and 867, of the Senate Journal of March 17th:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. A state supervising board of inspectors is hereby constituted, consisting of the attorney general, the state dairy and food commissioner, and the secretary of the state board of health, who shall serve without pay.

"Sec. 2. The duties of said state supervising board of inspectors shall be to appoint all inspectors and field agents in the departments of state board of health, the state dairy and food commission, the state board of parole, the state horticultural society, and the inspectors and field agents necessary to carry out the provisions of the cigarette law, the motor vehicle law, oil inspectors, and such other inspectors and field agents as may now or hereafter be provided by law in the administration of said departments and laws, and in making such appointments, preference, as far as the public welfare may permit in the judgment of said board, shall be given to the recommendations of the heads of the respective departments included in this act. Said supervising board shall have supervision and direction of said inspectors and field agents, and shall have power to reduce the number or limit the time of service of any of such inspectors or field agents as may be deemed necessary in the interests of the public welfare.

"Said supervision board is empowered to consolidate the work of in-

spectors and field agents in any department with others, and assign and transfer inspectors from such work from time to time as they may deem advisable in the interests of the public welfare, and said supervising board shall eliminate as far as possible the duplication of work, and place the inspection on a strictly economical basis as far as good business management will permit in the interests of the public welfare.

"Said supervising board is empowered to assign for stated periods a deputy or assistant, or other person in any department included in this act, to serve as chief inspector and administrator of said board, and to detail stenographers as needed from other departments to serve without additional pay.

"Sec. 3. The chief of inspectors shall have the power to call on any sheriff or police officer of this state to make inspections, investigations, and reports, either generally or specially, in connection with any of the inspections required by law to be made by any of the several departments, boards, and bureaus of the state government. Such inspections, investigations, and reports, shall be made within a reasonable time required by the chief of inspectors, and failure upon the part of any sheriff, or police officer, to make such inspection, investigation, and report, when called upon as herein provided, shall constitute a removable misconduct of office.

"Sec. 4. Such local peace officers shall be entitled to no compensation for making such inspections, investigations, and reports, but shall receive mileage at the same rate as is provided sheriffs by law.

"Sec. 5. All acts or parts of acts inconsistent with this act are hereby repealed."

Senator Price offered the following amendment to the substitute amendment and moved its adoption:

Amend by striking out all of section 2 following the words "Said supervising board" in line 11.

The amendment was adopted.

On the question "Shall the substitute amendment offered by Senator Newberry be adopted?" the vote was:

Ayes, 14.

Abben
Adams
Baird
Banta

Bowman
Buser
Fulton
Holdoegel

Horchem
Mantz
Newberry
Reed

Scott
Stoddard

Nays, 28.

Bergman
Brookhart
Brookins
Campbell
Cessna
Darting
Dutcher

Gilchrist
Goodwin
Hale
Hartman
Haskell
Johnston
McIntosh

Nelson
Olson
Perkins
Price
Rees
Romkey
Shane

Shinn
Slosson
Smith
Snook
Thurston
Tuck
White

Absent or not voting, 7.

Browne
Caldwell

Ethell
Kimberly

Mead
Shaff

Wichman

The amendment was lost.

The following committee amendments were adopted:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. Department of Agriculture.

The following administrative agencies of the state and the laws regulating and governing the same are hereby consolidated into one department which shall be known as the state department of agriculture, to wit:

1. The existing department of agriculture as provided in section one thousand six hundred fifty-seven-b (1657-b), supplement to the code, 1913; also all statutory activities and duties now imposed upon the state board of agriculture or upon the secretary thereof, except such activities and duties as relate to the state fair grounds, the improvements thereon, the control and management of such grounds and improvements, and to the conduct and management of the annual state fair.

2. The state weather and crop service department.

3. The dairy and food department, embracing all the administrative agencies heretofore under the control and management of the state dairy and food commissioner.

4. The department of animal health, embracing all the administrative agencies heretofore under the control and management of the commission of animal health.

5. State veterinarian department.

6. State horticultural society.

7. Iowa corn and small grain growers' association.

8. Iowa beef and cattle producers' association.

9. Iowa state dairy association.

10. State poultry association receiving financial aid from the state.

11. The Statutory Agency which embraces the licensing and inspecting of hotels and restaurants.

12. The petroleum oil inspection service.

Sec. 2. Secretary of agriculture.

The office of secretary of agriculture is hereby created. It shall be the duty of said officer, in addition to any other duty which may be prescribed by law:

1. To encourage, promote and advance the interests of agriculture, including horticulture, live stock industry, dairying, cheese making, poultry raising, bee keeping, forestry, production of wool, and other kindred and allied industries.

2. To promote and devise methods of conducting said industries with

the view of increasing production and facilitating an adequate distribution of the same at the least cost to the producer.

3. To compile statistics and information, in cooperation with the federal government, relative to crop production, farm economics, the production and marketing of beef, pork, mutton, wool, poultry, milk, butter, cheese and all other agricultural products, insofar as such statistical information may be deemed of value to agriculture and its allied interests in the state, which statistics, when published, shall constitute the official agricultural statistics of the state.

4. To cooperate with the Iowa State College of Agriculture and Mechanic Arts in all ways that may be beneficial to the agricultural interests of the state.

5. To include in his compilation and publication, the reports of agriculture, horticultural, live stock associations, and other like associations or societies organized for the promotion of the agricultural interests of the state.

Sec. 3. Temporary appointment.

Prior to the final adjournment of the present session of the General Assembly, the Governor shall, with the approval of two-thirds of the Senate in executive session, appoint a secretary of agriculture who shall hold office from July first (1), nineteen hundred twenty-three (1923), until the second secular day in January, nineteen hundred twenty-five (1925).

Sec. 4. Election.

At each general election, commencing with nineteen hundred twenty-four (1924), there shall be elected by the electors of the state a secretary of agriculture who shall hold office for the period of two years from the second secular day of January following said election.

Sec. 5. Nomination.

All statutes relating or pertaining to the nomination of candidates for state offices, by primary election or by petition, shall apply insofar as practicable, to the nomination of candidates for secretary of agriculture.

Sec. 6. Vacancies.

Vacancies in the office of secretary of agriculture shall be filled by the Governor by appointment. Such appointee shall hold office until the next general election.

Sec. 7. Qualification, bond, and salary.

The secretary of agriculture shall, before entering upon the duties of his office, qualify in the same manner in which officers generally are required to qualify, and shall give bond in the sum of five thousand (\$5,000) dollars, which bond, when approved by the Governor, shall be filed with the secretary of state. The secretary of agriculture shall receive a salary of four thousand (\$4,000) dollars per annum.

Sec. 8. Office and equipment.

The secretary of agriculture shall be provided at the seat of govern-

ment by the executive council with all necessary offices, supplies and equipment.

Sec. 9. Deputies and assistants.

Said secretary shall have authority, in the performance of his duties, to appoint such deputies and assistants as shall be authorized by law.

Sec. 10. State fair.

Nothing in this act shall be construed as in any manner limiting the authority of the state board of agriculture over the state fair grounds or over the management and control of the state fair held thereon, except that the secretary of agriculture shall be, by virtue of his office, a member of said board.

Sec. 11. Abolition of offices.

On July first (1), nineteen hundred twenty-three (1923), the following official positions are abolished and the incumbents of said positions on said date are ordered to turn over to the secretary of agriculture all books, documents, records and property pertaining to their respective positions, to wit:

1. State dairy and food commissioner.
2. State veterinarian.
3. Commission of animal health.
4. Inspector of petroleum products including the chief oil inspector.

Sec. 12. Duty and power of secretary.

The secretary of agriculture shall receive the matters and things enumerated in the last preceding section, and from and after said date shall be invested with and shall perform and execute all the powers and duties theretofore performed and executed by the several officers enumerated in said last preceding section.

Sec. 13. Hotel License and Inspection.

On July first (1), nineteen hundred twenty-three (1923), the state board of health and the hotel inspector shall deliver to the secretary of agriculture all books, documents, records, and property pertaining to the licensing and inspecting of hotels and restaurants, and from and after said date the hotel inspector and said board of health are relieved of all right or duty to administer said agency.

Sec. 14. Duty and Power of Secretary.

The secretary of agriculture shall receive the matters and things enumerated in the last preceding section and from and after said date shall be invested with and shall perform and execute all the powers and duties theretofore performed and executed either by the state board of health or by the hotel inspector with reference to the licensing and inspecting of hotels and restaurants.

Sec. 15. State board of agriculture.

On July first (1), nineteen hundred twenty-three (1923), the state board of agriculture and the secretary thereof shall deliver to the secre-

tary of agriculture all books, documents, records, and property pertaining to the statutory agencies and duties heretofore imposed either upon said board or upon the secretary thereof, except the books, documents, records, and property relating to the state fair grounds, the improvements thereon, and the annual fair held on such grounds. From and after said date the state board of agriculture and the secretary thereof shall be relieved of all right or duty in relation to said surrendered agencies.

Sec. 16. Duty and power of secretary.

The secretary of agriculture shall receive the matters and things enumerated in the last preceding section and from and after said date shall be invested with and shall perform and execute all the powers and duties pertaining to said surrendered agencies as fully and to the same extent as was formerly performed and executed by said board or the secretary thereof.

Sec. 17. Publication clause.

This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Des Moines Register and in the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Also strike out the title and insert in lieu thereof the following:

A BILL FOR

An act to create a department of agriculture, to consolidate thereunder certain governmental agencies and departments, to terminate the term of office and duties of certain officers in effecting said consolidation, to create the office of secretary of agriculture, to provide for the filling of said office and to determine the powers, duties, and compensation of the incumbent.

Senator Newberry offered the following amendment to the committee amendment and moved its adoption:

Amend by striking out subsections four (4) and five (5) of section one (1).

Also by striking out subsections two (2) and three (3) of section eleven (11) and renumbering the subsections of both sections amended to correspond.

The amendment was lost.

Senator Price raised the point of order that the matter proposed by Senator Newberry had been already disposed of in the Banta bill, which had previously failed to pass the Senate.

The President held the point of order not well taken.

Senator Stoddard offered the following amendment and moved its adoption:

I move that sections 3, 4, 5, and 6 be stricken from the committee amendment and that the following be inserted in lieu thereof:

"Sec. 3. Appointment.

During the regular session of the Fortieth General Assembly, and within sixty days after the organization of each subsequent regular session of the General Assembly, the Governor shall, with the approval of two-thirds of the members of the Senate in executive session, appoint a secretary of agriculture.

Sec. 4. Tenure.

The secretary of agriculture shall, under appointment for a regular term, serve for a period of two years from July first of the year of appointment.

Sec. 5. Vacancies during regular session.

Vacancies in the office of secretary of agriculture occurring while the General Assembly is in regular session shall be filled as in case of appointments for a regular term, but for the portion of the unexpired term only.

Sec. 6. Vacancies during recess.

Vacancies occurring while the General Assembly is not in regular session shall be filled by the Governor by appointment for the unexpired portion of the regular term, subject to the approval of the General Assembly when it convenes in regular session.

Senator Price invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 22.

Abben	Caldwell	Holdoegel	Perkins
Adams	Dutcher	Horchem	Reed
Baird	Fulton	Mantz	Scott
Banta	Gilchrist	Mead	Stoddard
Bergman	Hale	Newberry	White
Bowman	Haskell		

Nays, 24.

Brookhart	Darting	Nelson	Shinn
Brookins	Ethell	Olson	Slosson
Browne	Goodwin	Price	Smith
Buser	Hartman	Rees	Srook
Campbell	Johnston	Romkey	Thurston
Cessna	McIntosh	Shane	Tuck

Absent or not voting, 3.

Kimberly	Shaff	Wichman
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The amendment was lost.

Senator Buser explained his vote by saying:

"If it be the intention of the Fortieth General Assembly that the head

of the new department of agriculture should be made a member of the executive council I think he should be elected by the people."

Senator Price moved the previous question, which motion prevailed and the previous question was ordered.

The bill was read for information.

Senator Cessna moved that the reading just had be considered the third reading, which motion prevailed.

Senator Price invoked rule 8.

On the question—"Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Darting	McIntosh	Romkey
Adams	Dutcher	Mantz	Shane
Bergman	Ethell	Mead	Shinn
Brookhart	Gilchrist	Nelson	Slosson
Brookins	Goodwin	Olson	Smith
Browne	Hale	Perkins	Snook
Caldwell	Hartman	Price	Thurston
Campbell	Haskell	Reed	Tuck
Cessna	Johnston	Rees	White

Nays, 10.

Baird	Buser	Horchem	Scott
Banta	Fulton	Newberry	Stoddard
Bowman	Holdoegel		

Absent or not voting, 3.

Kimberly Shaft Wichman

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

Senator Price moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Smith explained his vote by saying he wished to give the committee credit for their good work and he would vote for this bill, as he thought it would accomplish some good, although he hardly expected it would accomplish just what the people of Iowa wanted.

MESSAGES 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. 397, a bill for an act amending section seventeen hundred and nine (1709) supplement to the code, 1913, (C. C. 5627), relating to insurance other than life.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 419, a bill for an act to repeal sections fifty-three hundred forty-two (5342) to fifty-three hundred forty-four (5344), inclusive, of the code (C. C. 9403, 9404, 9405) relating to change of place of trial in criminal cases, and to enact a substitute therefor.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 305, a bill for an act repealing sections five thousand five hundred fifteen (5515) (C. C. sec. 9268), five thousand five hundred sixteen (5516) (C. C. sec. 9269), five thousand five hundred seventeen (5517) (C. C. sec. 9270) of the code of 1897, and section five thousand five hundred eighteen (5518) (C. C. sec. 9271), and five thousand five hundred nineteen (5519) (C. C. sec. 9272) of the supplement to the code, 1913, relating to forfeiture of bail, and to enact a substitute therefor.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 574, a bill for an act to amend sections sixteen (16) and twenty (20) chapter two hundred seventy-five (275), acts of the Thirty-eighth (38) General Assembly, (C. C. sections 3059 and 3063) relating to delinquent motor vehicle fees and defacement of license plates.

Also, 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 the law as it appears in section fifty-seven hundred sixteen (5716), supplemental supplement to the code, 1915, as amended by section one (1), chapter two hundred seven (207), acts of the Thirty-eighth General Assembly (C. C. section 2189), relating to penitentiaries and men's reformatories.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 404, a bill for an act to amend the law as it appears in section three hundred thirty-four (334) of the code (compiled code, section 6991), relating to jurors.

Also, that the House has concurred in Senate amendments to House amendments to Senate File 59, a bill for an act to amend, revise and codify chapter twenty-one (21) of title five (5) of the compiled code of Iowa, relating to certified shorthand reporters.

A. C. GUSTAFSON, *Chief Clerk.*

MRS. J. C. GILCHRIST VISITS SENATE

President Hammill introduced to the Senate Mrs. J. C. Gilchrist, widow of Prof. J. C. Gilchrist, the first president of the Iowa State Teachers' College at Cedar Falls; the mother of Senator Fred C. Gilchrist and the mother of several sons and daughters who have been prominent educators, occupying positions as county superintendents in Iowa and professors in leading institutions of learning in the east and middle west. Her home town of Laurens, Pocahontas county, has had the largest number of students attending college of any city or town in the state, population considered. On April 1st she will enter her ninetieth year.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

REPORT OF COMMITTEE

Senator Scott submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 484, a bill for an act to amend section thirteen thirty-three (1333) (C. C. 4517) and thirteen thirty-three-d (1333-d) (C. C. sec. 4521) supplement to the code, 1913, relating to taxation of insurance companies, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

R. P. Scott, *Chairman*.

On the question "Shall the report be adopted?" the vote was:

Ayes, 23.

Abben	Fulton	Horchem	Rees
Adams	Gilchrist	Mantz	Scott
Banta	Hale	Newberry	Shane
Bergman	Hartman	Olson	Slosson
Bowman	Haskell	Perkins	Stoddard
Caldwell	Holdoegel		White

Nays, 10.

Browne	Johnston	Romkey	Tuck
Buser	Nelson	Shinn	
Ethell	Mead	Snook	

Absent or not voting, 14.

Baird	Cessna	Kimberly	Smith
Brookhart	Darting	Price	Thurston
Brookins	Dutcher	Reed	
Campbell	Goodwin	Shaff	

The report was adopted and the bill indefinitely postponed.

HOUSE AMENDMENTS CONSIDERED

Senator Mantz called up for consideration Senate File No. 397, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File No. 397 by striking out the period (.) at the end of section one (1) and substituting a semicolon (;) in lieu thereof and adding the following: "and may also insure glass against breakage."

Also amend Senate File No. 397 as follows: By striking out the period at the end of section three (3) thereof and substituting a semicolon (;) and adding the following: "and by striking out the last sentence of said subdivision seven. (7)."

Also amend Senate File No. 397 by adding after the word "fire" as it appears at the end of line nine (9) of section one (1) thereof the word "lightning" and a comma (,).

On the question "Shall the Senate concur?" the vote was:

Ayes, 28.

Abben	Gilchrist	Johnston	Romkey
Adams	Goodwin	Mantz	Scott
Bergman	Hale	Mead	Shane
Brookins	Hartman	Nelson	Slosson
Buser	Haskell	Newberry	Snook
Cessna	Holdoegel	Olson	Stoddard
Fulton	Horchem	Rees	White

Nays, none.

Absent or not voting, 21.

Baird	Caldwell	Kimberly	Shaff
Banta	Campbell	McIntosh	Shinn
Bowman	Darting	Perkins	Smith
Brookhart	Dutcher	Price	Thurston
Browne	Ethell	Reed	Tuck
			Wichman

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Bergman called up for consideration Senate File No. 419, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File No. 419 by inserting after the word "state" in line three of section one of the bill the following: "In case where defendant is charged with felony."

On the question "Shall the Senate concur?" the vote was:

Ayes, 34.

Abben	Bergman	Buser	Fulton
Adams	Bowman	Caldwell	Gilchrist
Banta	Brookins	Cessna	Goodwin

Hale	Mead	Rees	Snook
Hartman	Nelson	Romkey	Stoddard
Haskell	Newberry	Scott	Tuck
Horchem	Olson	Shane	White
Johnston	Perkins	Shinn	
Mantz	Price	Slosson	

Nays, none.

Absent or not voting, 15.

Baird	Darting	Kimberly	Smith
Brookhart	Dutcher	McIntosh	Thurston
Browne	Ethell	Reed	Wichman
Campbell	Holdoegel	Shaff	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Tuck called up for consideration Senate File No. 305, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File No. 305 by adding after the figures 5518 in line five (5) thereof, the following: "of the supplement to the code, 1913".

Also amend line seven (7) by striking therefrom the words "supplement to the" and by striking from said line seven (7) the figures "1913".

Also amend the title by adding after the figures 5518 in line four (4) thereof the following: "of the supplement to the code, 1913".

Also amend said title by striking from line six (6) thereof the words "supplement to the" and by striking from said line six (6) the figures "1913".

On the question "Shall the Senate concur?" the vote was:

Ayes, 35.

Abben	Ethell	Johnston	Scott
Adams	Fulton	Mantz	Shane
Baird	Gilchrist	Mead	Slosson
Banta	Goodwin	Nelson	Snook
Bergman	Hale	Newberry	Stoddard
Bowman	Hartman	Olson	Thurston
Brookins	Haskell	Perkins	Tuck
Buser	Holdoegel	Price	White
Cessna	Horchem	Rees	

Nays, none.

Absent or not voting, 14.

Brookhart	Darting	Reed	Smith
Browne	Dutcher	Romkey	Wichman
Caldwell	Kimberly	Shaff	
Campbell	McIntosh	Shinn	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Mantz, Senate File No. 486, a bill for an act to require insurance companies writing the several classes of insurance authorized by sub-division c of section two (2), chapter four hundred twenty-eight (428) acts of the Thirty-seventh General Assembly of Iowa (C. C. 5627-5d) to maintain certain reserves for outstanding losses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Mantz moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Abben	Ethell	Horchem	Rees
Adams	Fulton	McIntosh	Romkey
Banta	Gilchrist	Mantz	Scott
Bergman	Goodwin	Mead	Shane
Bowman	Hale	Nelson	Snook
Brookhart	Hartman	Newberry	Stoddard
Brookins	Haskell	Olson	
Buser	Holdoegel	Perkins	

Nays, 1.

Shinn

Absent or not voting, 18.

Baird	Darting	Reed	Tuck
Browne	Dutcher	Shaff	White
Caldwell	Johnston	Slosson	Wichman
Campbell	Kimberly	Smith	
Cessna	Price	Thurston	

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

On motion of Senator Goodwin, Senate File No. 424, a bill for an act exempting certain societies and associations of employes from the provisions of chapters four (4) to nine (9) inclusive of title nine (IX) of the code as amended, 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. Unless specific reference is made thereto, no provision of chapters four (4) to nine (9) inclusive, of title nine (IX) of the code, now in force or hereafter enacted, shall include or apply to:

(a) Domestic societies which limit their membership to the employees of

1. A particular city or town, or,
2. A designated firm, business house or corporation.

Sec. 2. The commissioner of insurance may require from any society such information as will enable him to determine whether such society is exempt from the provisions of the laws relating to insurance or to fraternal benefit societies.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Campbell	Holdoegel	Rees
Adams	Cessna	Horchem	Scott
Banta	Ethell	Johnston	Shane
Bergman	Fulton	McIntosh	Shinn
Bowman	Gilchrist	Mantz	Snook
Brookhart	Goodwin	Mead	Stoddard
Brookins	Hale	Newberry	Thurston
Buser	Hartman	Olson	Tuck
Caldwell	Haskell	Perkins	White

Nays, none.

Absent or not voting, 13.

Baird	Kimberly	Romkey	Smith
Browne	Nelson	Shaff	Wichman
Darting	Price	Slosson	
Dutcher	Reed		

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

On motion of Senator Stoddard, Senate File No. 509, a bill for an act to amend the law as it appears in chapter three hundred ten (310), acts of the Thirty-ninth (39th) General Assembly, relating to the appropriation for refund of taxes paid by certain insurance companies; providing for the refund of taxes paid by certain insurance companies upon reinsurance premiums and making appropriation therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Scott moved that 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, 33.

Abben	Fulton	Johnston	Reed
Adams	Gilchrist	McIntosh	Rees
Banta	Goodwin	Mantz	Scott
Bergman	Hale	Mead	Shane
Bowman	Hartman	Newberry	Snook
Brookins	Haskell	Olson	Stoddard
Caldwell	Holdoegel	Perkins	Tuck
Campbell	Horchem	Price	White
Ethell			

Nays, 7.

Brookhart	Buser	Romkey	Slosson
Browne	Nelson	Shinn	

Absent or not voting, 9.

Baird	Dutcher	Smith	Wichman
Cessna	Kimberly	Thurston	
Darting	Shaff		

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

On motion of Senator Mantz, House File No. 489, a bill for an act authorizing the issuance of a patent to certain lands in Dallas county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Mantz moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Abben	Ethell	Mantz	Scott
Adams	Fulton	Mead	Shane
Bergman	Gilchrist	Newberry	Shinn
Bowmar	Hale	Olson	Snook
Brookins	Hartman	Perkins	Stoddard
Caldwell	Haskell	Price	Tuck
Campbell	Holdoegel	Reed	White
Cessna	McIntosh	Romkey	

Nays, none.

Absent or not voting, 18.

Baird	Darting	Kimberly	Smith
Banta	Dutcher	Nelson	Thurston
Brookhart	Goodwin	Rees	Wichman
Browne	Horchem	Shaff	
Buser	Johnston	Slosson	

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

On motion of Senator Snook, Senate File No. 495, a bill for an act making counties responsible for the maintenance of certain bridges and fixing liabilities for failure to maintain such bridges in a safe condition for travel and providing for the payment of any damages occurring from certain funds, 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 "culverts and township bridges and" from section 1, line 3. In line 13 of section 1 insert after the word "be" and before the word "payable" the following: "a liability upon and"; also by striking the period after the word "occurred" in line 14 of said section and insert in lieu thereof a comma (,) and add the following: "and from no other fund."

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

Senator Romkey invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 18.

Adams	Cessna	Nelson	Thurston
Brookhart	Fulton	Price	Tuck
Brookins	Johnston	Shane	White
Browne	McIntosh	Shinn	
Campbell	Mead	Snook	

Nays, 21.

Abben	Ethell	Haskell	Reed
Bergman	Gilchrist	Holdoegel	Rees
Bowman	Goodwin	Horchem	Romkey
Buser	Hale	Mantz	Scott
Caldwell	Hartman	Newberry	Slosson
			Stoddard

Absent or not voting, 10.

Baird	Dutcher	Perkins	Smith
Banta	Kimberly	Shaff	Wichman
Darting	Olson		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator McIntosh, House File No. 354, a bill for an act to amend the law as it appears in section two (2) of chapter three hundred eight (308), acts of the Thirty-seventh General Assembly (Compiled Code section 2630), as amended by chapter ninety-eight (98) acts of the Thirty-ninth (39) General Assembly, relating to the education of deaf children, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator McIntosh moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Abben	Ethell	• Horchem	Reed
Adams	Fulton	Johnston	Scott
Bergman	Gilchrist	McIntosh	Shane
Bowman	Goodwin	Mantz	Slosson
Brookhart	Hale	Mead	Snook
Brookins	Hartman	Nelson	Stoddard
Caldwell	Haskell	Newberry	Tuck
Campbell	Holdoegel	Olson	White

Nays, none.

Absent or not voting, 17.

Banta	Darting	Price	Shinn
Browne	Dutcher	Rees	Smith
Buser	Kimberly	Romkey	Thurston
Cessna	Perkins	Shaff	Wichman

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

REPORTS OF COMMITTEES

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 381, a bill for an act to amend chapter one hundred ninety-one (191), acts of the Thirty-ninth (39th) General Assembly, (S. C. C. 4036-a1, 4036-a2, 4036-a3), relative to poll tax and providing a penalty for nonpayment, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 583, a bill for an act to amend chapter two hundred eighty-eight (288) acts of the Thirty-eighth General Assembly, relating to waterworks in cities now or hereafter having a population of one hundred thousand (100,000) inhabitants or over, including cities acting under the commission form of government, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking from lines 11 and 12 of section 2, the words, "bills for which shall be paid by the city in May and November of each year".

Amend section 2 by striking from lines 27 and 28 the words and figures "one hundred thousand dollars (\$100,000.00)", and inserting in lieu thereof the words and figures "fifty thousand dollars (\$50,000.00); by striking from lines 27 and 28 the words and figure "two hundred thousand dollars (\$200,000.00)" and inserting in lieu thereof "one hundred twenty-five thousand dollars (\$125,000.00)"; and by striking from lines 31 and 32 the words and figures "two hundred thousand dollars (\$200,000.00)" and inserting in lieu thereof the words and figures "one hundred twenty-five thousand dollars (\$125,000.00)".

Amend by adding as a new paragraph at the end of section 2 of the bill the following:

"The sums payable by the city for water furnished as herein provided for shall be paid by the city from the proceeds of the levy hereinafter authorized in May of each year for the last six months of the preceding year, and in November of each year for the first six months of that current year; the first payment shall be made in May of the year 1924, and shall be for the last six-months period of the year 1923."

Amend by adding as section 4 of the bill the following:

"Section 4. It shall be the duty of the city council, immediately after the passage of any ordinance or resolution, ordering any street improvement or sewer upon any street or streets, in which a water main should be laid or extended prior to such improvement, as indicated, by a majority vote of the council, to give notice in writing to the board of waterworks trustees of such action, and to forward to said board a copy of such resolution or ordinance ordering the said improvement. On receipt of said notice, the board shall proceed without unnecessary delay to cause mains to be laid or extended in those streets affected by the resolution or ordinance.

Amend by renumbering section 4 of the bill as section 5.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Senator Smith submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File No. 368, a bill for an act relating to the levying of a tax to be known as the county general fund, begs leave to report it has

had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking out the title, and by inserting in lieu thereof the following: "An act to authorize boards of supervisors to transfer certain funds".

Also by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. The board of supervisors of any county shall have power to transfer any unexpended moneys remaining in the county insane fund and the soldiers' relief fund, at the last regular meeting of any year, to the general fund.

"Sec. 2. All acts or parts of acts in conflict with this act are hereby repealed."

ED. M. SMITH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File No. 505, a bill for an act to provide an additional revenue for the maintenance of consolidated schools and aid in the payment of the bonds issued by the district for the purpose of erecting buildings and purchasing grounds, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ED. M. SMITH, *Chairman.*

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File No. 666, a bill for an act to amend the law as it appears in section 616, supplement to the code, 1913, (C. C. 3485) relating to the taxation of agricultural lands within cities and towns, begs leave to report it has had the same under consideration and recommends the same do pass.

ED. M. SMITH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred House File No. 405, a bill for an act to amend section 2247 of the supplement to the code of Iowa, 1913, (C. C. sec. 3300) relating to the levy of an assessment for the support of the poor, begs leave to report it has had the same under consideration and recommends the same do pass.

ED. M. SMITH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred House File No. 440, a bill for an act to amend section 1983 of the code, 1897 (C. C. section 4825) and section 902 of the code, 1913, as amended by chapter 18, acts of the Thirty-ninth General Assembly (C. C. section 4051) relating to the division and proportionment and entry of special assessments on the tax list by county auditor, begs leave to report it has had the same under consideration and recommends the same do pass.

ED. M. SMITH, *Chairman.*

Ordered passed on file.

Senator Shane submitted the following report:

MR. PRESIDENT: Your committee on pharmacy to which was referred House File No. 711, a bill for an act to amend the law as it appears in section twenty-five hundred eighty-nine-d (2589-d) supplement to the code 1913, as amended by chapter ninety-five (95), acts of the Thirty-eighth General Assembly (C. C. 1420), relating to the examination and the registration of pharmacists, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK SHANE, *Chairman.*

Ordered passed on file.

Senator Price submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred House File 425, a bill for an act to regulate the disinterment of dead bodies of human beings and opening of caskets containing the same or autopsy thereon, without a permit therefor and providing penalty for the violation of this act, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out section one (1) and inserting in lieu thereof the following:

"Section 1. It shall be unlawful for any person, firm, corporation or committee to disinter the dead body of any human being, or to open the casket or coffin of such dead body after burial, or to permit an autopsy thereon, or to aid, assist, encourage or to incite any of the foregoing prohibited acts, except upon written application to the state board of health of the state of Iowa or the district court of the county in which the body is buried, and the procuring of a written permit for such disinterment."

JNO. R. PRICE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health to which was referred House File No. 344, a bill for an act to amend chapter one hun-

dred thirteen (113) acts of the Thirty-ninth (39) General Assembly (S. C. C. sec. 1321-a3), by extending the time within which those actively engaged in the practice of podiatry will be entitled to a license without an examination, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

JNO. R. PRICE, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 460, a bill for an act to provide funds for completing sheep barn, and for maintenance, repairs and improvements on the state fair grounds, and to make an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking out lines three (3) and four (4) of section one (1) the words and figures sixty-five thousand dollars (\$65,000), and insert in lieu thereof the words and figures thirty thousand dollars (\$30,000). Also amend by striking out of section one (1) lines five (5), six (6) and seven (7).

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 372, a bill for an act for provision of state compensation for injuries or death of law enforcing officer while on duty, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 549, a bill for an act to compensate Woodbury county, Iowa, for money expended by Woodbury county for the hearing, commitment and transportation of certain insane patients who were charges of the state of Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports

it has on this 23rd day of March, 1923, sent to the governor for his approval, Senate File Nos. 290 and 512.

F. C. GILCHRIST, *Chairman*.

The report was adopted.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 225

Senator Gilchrist, chairman of the conference committee, submitted the following report:

MR. PRESIDENT: Your joint conference committee to whom was referred code commission bill known as Senate File No. 225, begs leave to report that it has met and considered the matter which was in dispute between the two Houses relative to the amount that should be charged for the issuance of marriage licenses, and that members of your committee have finally concluded that the differences between the two Houses should be compromised and adjusted, and they therefore recommend that such marriage license fee be fixed at the sum of \$1.50.

They therefore recommend that the bill be amended by striking from line fifty-one of section four thereof the words and figures "one dollar (\$1.00)", and inserting in lieu thereof the words and figures "one dollar and fifty cents (\$1.50)", and that the bill as so amended should then be passed by each of the two Houses.

Your conference committee also recommends that the Senate shall concur in the House amendment to the bill which changed the word "and" in line three of section two to the word "or".

Respectfully submitted,

F. C. GILCHRIST,

Chairman of Senate Committee.

J. M. SLOSSON.

CHAS. M. DUTCHER,

BEN C. ABBEN, JR.

W. C. SCOTT,

Chairman of House Committee.

FRED C. LOVRIEN.

W. STRIPPEL.

WM. T. GILMORE.

On the question "Shall the Senate adopt the report of the committee and concur in the amendments proposed?" the vote was:

Ayes, 26.

Abben
Bergman
Bowman
Brookhart
Brookins
Ethell
Fulton

Gilchrist
Goodwin
Hale
Haskell
Holdoegel
Horchem
McIntosh

Mantz
Newberry
Olson
Perkins
Price
Reed

Rees
Scott
Shane
Shook
Stoddard
White

Nays, 10.

Browne
Caldwell
Campbell

Cessna
Johnston
Mead

Nelson
Romkey

Shinn
Tuck

Absent or not voting, 13.

Adams
Baird
Banta

Buser
Darting
Dutcher

Hartman
Kimberly
Shaff

Slosson
Smith
Thurston
Wichman

The report of the conference committee having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

HOUSE MESSAGES CONSIDERED

House File No. 574, a bill for an act to amend sections sixteen (16) and twenty (20) chapter two hundred seventy-five (275), acts of the Thirty-eighth (38) General Assembly, (C. C. sections 3059 and 3063) relating to delirquent motor vehicle fees and defacement of license plates.

Read first and second times and referred to committee on motor vehicles.

House File No. 404, a bill for an act to amend the law as it appears in section three hundred thirty-four (334) of the code (compiled code, section 6991), relating to jurors.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 496, a bill for an act to amend the law as it appears in section fifty-seven hundred sixteen (5716), supplemental supplement to the code, 1915, as amended by section one (1), chapter two hundred seven (207), acts of the Thirty-eighth General Assembly (C. C. section 2189), relating to penitentiaries and men's reformatories.

Read first and second times and referred to committee on charitable, correctional and penal institutions.

By unanimous consent Senator Thurston withdrew Senate File No. 336 from further consideration.

By unanimous consent Senator Abben withdrew Senate File No. 445 from further consideration.

BILLS SIGNED BY THE PRESIDENT.

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files Nos. 290 and 512.

PROOF OF PUBLICATION

State of Iowa, County of Scott, ss:

I, E. P. Adler, being first duly sworn on my oath, state that I am president of The Times Company (Inc.), publishers of The Daily Times, and that I personally know that the notice of a proposed bill for the legalization of the proceedings of the city council of the city of Davenport, Iowa, authorizing the issuance of corporate bonds and providing for taxes to pay the principal and interest thereof was published in the said The Daily Times, a newspaper printed and published in the city of Davenport, County of Scott and State of Iowa, on the following dates, to-wit: March 19, 1923.

E. P. ADLER.

Subscribed and sworn to before me, and in my presence, by the said E. P. Adler to me personally known to be the president of The Times Company this 19th day of March, 1923.

HANNA H. ROTHSCHILD,

(SEAL)

Notary Public in and for Scott County.

On motion of Senator Newberry, the Senate adjourned until 9 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, March 24, 1923.

The Senate met in regular session, John Hammill presiding.

Prayer was offered by Rev. E. B. Chancellor, pastor of the Church of Christ, of Winterset, Iowa.

On motion of Senator Abben rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Perkins for the day on request of Senator Stoddard; Senator Wichman for the day on request of Senator Newberry; Senator Scott for the day on request of Senator Hartman; Senator Dutcher for the day on request of Senator Mantz; Senator Shaff for the day on request of Senator Bergman; Senator Rees for the day on request of Senator Ethell; Senator Darting for the day on request of Senator Mead; Senator Hale for the day on request of Senator Reed.

PETITIONS AND MEMORIALS

Senator Slosson presented a petition from taxpayers of Buffalo Center protesting the proposed tax on tobacco. Referred to committee on ways and means.

Senator Gilchrist presented a petition from Homestead No. 50, Brotherhood of American Yeomen, Livermore, endorsing House File 544. Referred to committee on insurance.

Senator Newberry presented a petition from Lodge 142, Modern Brotherhood of America, Farmersburg, endorsing House File 544. Referred to committee on insurance.

Petitions from the Modern Woodmen protesting House File 544 were presented by Senator Browne from Camp 2783, Monmouth; by Senator Campbell from Camp 3195, Kingsley; by Senator Fulton from Camp 1949, Bonaparte; by Senator Nelson from Camp 3499, Portsmouth; by Senator Slosson from Camp 2654, Buffalo Center; by Senator Hartman from Camp 230, Oelwein, and by Senator Johnston from Camp 4014, Corydon. All were referred to the committee on insurance.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 498, a bill for an act to repeal section three (3), chapter two hundred eighty-four (284), acts of the Thirty-seventh (37th) General Assembly, as amended by chapter three hundred thirty-seven (337), acts of the Thirty-ninth (39th) General Assembly, and to enact a substitute in lieu thereof, relating to appropriation of funds to enable the board of railroad commissioners to continue the investigation of the valuation of the property of common carriers made by the interstate commerce commission.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 732, a bill for an act to amend chapter two hundred eighty-seven (287), acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly (C. C. title VIII, chapter 15) so as to permit the establishment of additional methods for the eradication of bovine tuberculosis and to promote the health and welfare of the citizens of the state.

A. C. GUSTAFSON, *Chief Clerk.*

On motion of Senator Bowman, Senate File No. 552 was ordered returned from the committee on public utilities and placed on the calendar.

REPORTS OF COMMITTEES

Senator Mantz submitted the following report:

MR. PRESIDENT: Your committee on educational institutions to which was referred House File No. 299, a bill for an act providing for the letting of contracts by the state board of education, begs leave to report it has had the same under consideration and recommends the same do pass.

H. J. MANTZ, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on educational institutions to which was referred Senate File No. 654, a bill for an act to amend section twenty-seven hundred thirty-four-h (2734-h), supplement to the code, 1913, (C. C. 2486), relating to the issuance of second grade certificates, begs leave to report it has had the same under consideration and recommends the same do pass.

H. J. MANTZ, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on educational institutions to which was referred Senate File No. 458, a bill for an act to make 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, begs leave to report it has had the same under consideration and recommends the same do pass after reference to the appropriations committee.

H. J. MANTZ, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Senator Hartman submitted the following report:

MR. PRESIDENT: Your committee on congressional, judicial and representative districts to which was referred House File No. 356, a bill for an act to amend section two hundred twenty-seven (227) of the supplemental supplement to the code, 1915, (C. C. 6937), relating to the division of the state into judicial districts, and increasing the number of district judges in the thirteenth judicial district, and providing a method for filling the additional office created by this act, and for the election of a judge to fill the office hereby created, etc., begs leave to report it has had the same under consideration and recommends the same do pass.

G. S. HARTMAN, *Chairman*.

Ordered passed on file.

Senator Newberry submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 421, a bill for an act to amend section twenty-seven hundred seventy-three (2773), as amended by chapter 160, acts of the Thirty-eighth General Assembly (C. C. sec. 2639), relating to the conditions under which certain school corporations may charge tuition, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking out the word "may" as it occurs in line ten (10) of section 1, and inserting in lieu thereof the word "shall", and by adding thereto the following:

"Sec. 2. This act shall not apply to any school corporation of less than twenty thousand (20,000) population nor to one having within its boundaries an institution of learning of a higher order than that of an approved four year high school course."

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 602, a bill for an act to prohibit soliciting subscriptions and offering for sale books and supplies at city and county

teachers' institutes, and to provide penalties for violation thereof, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

BYRON W. NEWBERRY, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Senator Buser submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File No. 598, a bill for an act to provide for storage of grain under state supervision and the issuance of storage certificates therefor, and providing penalties for violation thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

J. D. BUSER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File No. 526, a bill for an act to require the labeling of yarn, bedding, cloth, fabrics of articles of apparel containing or purporting to contain wool, offered for sale in this state and of samples of materials containing or purporting to contain wool, displayed in this state in soliciting orders; providing penalties for violation, and methods of enforcement of its provisions, begs leave to report it has had the same under consideration and returns the bill without recommendation.

J. D. BUSER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File No. 601, a bill for an act to amend chapter two hundred eighty-seven (287) of the acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly (C. C. title VIII., chapter 15) so as to extend the provisions thereof to include the authorization of area testing the stock for tuberculosis and to authorize the board of supervisors of any county to levy a tax to assist in defraying the cost of tests, begs leave to report it has had the same under consideration and recommends 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 the law as it appears in chapter two hundred eighty-seven (287) of the acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly (C. C. title VIII., chapter 15) be and the same is hereby amended by inserting immediately following section ten (10) thereof the following:

Sec. 10-a. There is hereby established for the purpose of the eradication of bovine tuberculosis, the county area plan, and the county accredited area plan.

Sec. 10-b. Whenever a petition signed by fifty-one per cent of the owners of breeding cattle within the county, as shown by the assessor's reports, together with agreements as provided in section ten (10) hereof, shall be presented to the board of supervisors, the board shall make application to the commission of animal health of the state for the enrollment of said county under the county area plan and shall, at the same time forward to the commission of animal health the agreements signed as provided herein. The commission of animal health shall, when it receives agreements signed by fifty-one per cent of the owners of breeding cattle within such county, designate such county as a county area testing unit and it shall forthwith proceed with the eradication of bovine tuberculosis in such county under the county area plan as provided herein.

Sec. 10-c. Or upon the receipt of a petition signed by 15% of the voters of any county, as shown by the vote on the head of the ticket in the last general election, the board of supervisors shall submit at the next general election the following proposition: "Shall.....
.....County levy a tax of not more than 3 mills on the taxable value of the county for the purpose of establishing a county area tuberculosis eradication fund and entering upon the county area tuberculosis eradication plan?" Should such a proposition carry in the next general election, the board shall proceed as in this section provided, to establish the county area tuberculosis eradication plan.

Sec. 10-d. The board of supervisors of such county shall, when it makes the next regular levy for taxation purposes, levy a tax upon the taxable value of all the property in such county at a rate of not more than three mills, to be placed upon the tax list by the county auditor and collected by the county treasurer in the same manner and at the same time as the other taxes of the county, said moneys, when collected, to be placed in a fund to be known as the county tuberculosis eradication fund.

Sec. 10-e. The county tuberculosis eradication fund shall be expended only on the order of the board of supervisors on warrants drawn by the county auditor and in payment for the purchase of materials, for compensation of employees and expenses of tuberculosis inspectors as hereinafter provided, and for indemnity of cattle slaughtered as provided herein.

Sec. 10-f. The commission of animal health shall, when it has designated any county as a unit for the eradication of bovine tuberculosis under the county area plan, appoint one or more accredited veterinarians as tuberculosis inspectors for such county, and such inspectors shall operate under the direction and control of the commission of animal health and shall test the breeding cattle of such owners as shall have signed agreements with the commission of animal health as provided in section ten (10) of this chapter. They shall receive as compensation not to exceed ten dollars (\$10.00) per diem and ten cents (10c) for every mile traveled while engaged in such work. Such claims shall be first certified by the executive officer of the commission of animal health and filed with the county auditor. The county auditor shall present

same to the board of supervisors and same shall be allowed and paid in the same manner as are other claims against the county.

Sec. 10-g. The commission of animal health shall furnish each such inspector with the necessary tuberculin or other material, not including instruments and utensils which shall be furnished by the inspector. All such expenses incurred shall be paid from the county tuberculosis eradication fund on proper claim being presented in the same manner as hereinbefore provided for the payment of compensation and expenses to inspectors.

Sec. 10-h. The commission of animal health shall, each fiscal year hereafter, set aside a sum from the state and federal funds available, sufficient to fulfill such agreements as may heretofore have been entered into under the provisions of this chapter, and shall also reserve such additional amount as said commission deems necessary for its use in the administration of the general provisions of this chapter.

Sec. 10-i. After such sums shall have been set aside, the commission of animal health shall prorate the remainder of any state or federal funds available among the counties of the state in proportion to the number of breeding cattle owned in each county, as shown by the last preceding assessor's books. Such moneys shall be expended in the county where allotted, provided, however, that the commission of animal health, whenever it deems it necessary for the welfare of the state, or whenever such moneys are not needed in any county, transfer such moneys so remaining in any county's allotment, to any other county.

Sec. 10-j. The commission of animal health may employ the inspectors appointed under the county area plan or it may employ other inspectors to make tests in any county and to pay indemnities to owners of animals ordered slaughtered in the manner provided in section ten (10) hereof, out of the county's allotment. However, if any county is operating under the county area plan, the allotment made to such county must be expended before the county tuberculosis eradication fund may be used.

Sec. 10-k. Any owner who shall sign an agreement with the commission of animal health for testing in any county under the county area plan, whose loss as determined under the provisions of section ten (10) hereof, shall be five per cent or less of the total appraised value of the animals tested, shall, in consideration of the free test as herein provided, be considered to have waived all claims to indemnity as provided in such section, and any owner, where the loss shall exceed five per cent of the appraised value of his animals tested, shall first deduct the said five per cent in consideration of such free test and shall then receive indemnity for the excess of such loss as provided in section ten (10) hereof.

Sec. 10-l. Should either the state or federal funds, available for the purpose of this act in any county, become exhausted, the board of supervisors of such county shall authorize the use of the county tuberculosis eradication fund as a substitute for either or both such funds; provided, however, that the board of supervisors shall, whenever the

county tuberculosis eradication fund balance becomes less than ten thousand dollars (\$10,000.00), notify the commission of animal health in writing of such fact and no warrant shall be drawn against said fund and no expense incurred on such account in excess of the cash available in such fund.

Sec. 10-m. Whenever seventy-five per cent of the owners of breeding cattle in any county operating under the county area plan, shall have signed agreements with the commission of animal health, said commission shall notify the board of supervisors of such county of such fact and such board of supervisors, shall, at its next regular meeting, by resolution, declare such county's intention to become an accredited area and it shall thereafter become the duty of every owner of breeding cattle within said county to cause the cattle to be tested under the accredited area plan.

Sec. 10-n. Any owner of breeding cattle in any county which has come under the county area accredited plan as provided in the preceding section, who fails or neglects to apply for such test or to have his cattle tested as provided herein within a period of ninety (90) days from the publication of the resolution by the board of supervisors provided for in the preceding section, which publication shall be deemed legal notice, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one hundred dollars (\$100.00) or by imprisonment in the county jail for not more than thirty (30) days, or both.

Sec. 10-o. Should it become apparent that the funds provided by state and federal appropriations and by the county tuberculosis eradication fund as herein provided, will not be sufficient to complete the testing of breeding cattle in any county which shall have adopted the county area plan, within a reasonable time, the board of supervisors of such county is hereby authorized and empowered to levy an additional tax of not more than twenty-five cents (25c) on each bovine animal and not more than five cents (5c) on each swine, within such county as shown by the last preceding assessor's books. Said fund shall be collected by the treasurer of the county in the same manner as other taxes and placed in the county tuberculosis eradication fund to be used as provided herein.

Sec. 10-p. In the event that any one or more provisions of this act shall be held unconstitutional by any court, the decision holding such provision unconstitutional shall not affect the validity of the remaining provisions of this act, it being the intention of the legislature that the provisions of this act are separable.

Sec. 10-q. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Des Moines Register, and the Des Moines News, newspapers published in Des Moines, Iowa.

J. D. BUSER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File No. 297, a bill for an act to repeal section eleven (11), chapter two hundred eighty-seven (287) acts of the Thirty-eighth General Assembly, (C. C. 1742), and to amend section one (1) chapter one hundred ninety-four (194), acts of the Thirty-ninth General Assembly (S. C. C. 1742-a1), relating to the quarantine and disposition of animals affected with tuberculosis, begs leave to report it has had the same under consideration and recommends 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 chapter one hundred ninety-four (194) acts of the Thirty-ninth General Assembly be and the same is hereby amended as follows:

"By striking out of line seven (7) the words and figures 'ninety (90)' and inserting in lieu thereof the words and figures 'thirty (30)'."

And to amend the title by striking out the present title and inserting in lieu thereof the following: "An act to amend chapter one hundred ninety-four (194) acts of the Thirty-ninth General Assembly relating to the time which an infected animal may be retained by the owner, and after which no indemnity may be claimed."

J. D. BUSER, *Chairman*.

Ordered passed on file.

Senator Slosson submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 620, a bill for an act amending the law as it appears in section twenty-three (23), chapter two hundred seventy-five (275), acts of the Thirty-eighth (38) General Assembly as amended in section fifteen (15) of chapter one hundred fifty-nine (159) of the acts of the Thirty-ninth (39) General Assembly, relating to the licensing and regulation of motor vehicles, begs leave to report it has had the same under consideration and recommends the same do pass.

J. M. SLOSSON, *Chairman*.

Ordered passed on file.

Senator Buser moved that when there is a small attendance, if senators wish to defer action on their bills they may do so and the bills retain their places on the calendar, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Banta, Senate File No. 255, a bill for an act to amend, revise, and codify sections one hundred (100), one hundred one (101) and two hundred seventy-five (275) of the com-

piled code of Iowa, and sections two hundred forty-one-a thirty (241-a30), two hundred forty-one-a fifty-five (241-a55), two hundred forty-one-a sixty two (241-a62), two hundred forty-one-a sixty-three (241-a63), two hundred forty-one-a sixty-four (241-a64), two hundred forty-one-a sixty-six (241-a66), two hundred forty-one-a seventy-four (241-a74) and two hundred forty-seven-a three (247-a3) of the supplement to said code, relating to reports of public officers, was taken up and considered, the report of the committee having been previously adopted.

The following committee amendments were adopted:

Amend Senate File No. 255 by placing a colon (:) after the word "period" in line three of sec. 5 and striking out all of lines four, five and 26 of said section.

Amend sec. 6 by placing a period (.) after the word "date" in line 3 and eliminating the remainder of said line—"and not later than May first."

Amend sec. 11 by striking out the word "first" in line three thereof and substituting "fifteenth" therefor.

Amend sec. 12 by adding thereto as sec. 12-a1 and 12-a2 the following:

"Sec. 12-a1. *Mine Inspectors.*

The report of the mine inspectors shall cover the biennial period ending December thirty-first (31st) of each odd-numbered year, and shall be filed on or before August fifteenth (15th) following the end of said reporting period.

(S. C. C. 732, modified.)

"Sec. 12-a2. *Delay in filing report.*

Should the governor deem the delay in filing a report to be unreasonable he shall take such steps as will correct the delinquency."

Amend sec. 14, Disposal of Reports, as follows: Strike out all of the section following the period in line 2, following the word "printing".

Also amend by inserting the following after section 17 of bill: That section two hundred forty-one-a twenty-one (241-a21) of the supplement to the compiled code of Iowa be amended, revised, and codified to read as follows:

Sec. 18. *Duration of Contract.*

Contracts for printing and for work and material relating thereto shall be for a period not exceeding three (3) years. The present contract for printing and binding the Iowa Supreme Court Reports may be extended for a period not exceeding three years from the date of said contracts.

(S. C. C. 241-a21, modified.)

That section two hundred forty-one-a twenty-nine (241-a29) of the supplement to the compiled code of Iowa be amended, revised and codified as follows:

"Sec. 19. Emergency Contracts.

The board may at any time award a special contract or may authorize its assistants as designated in section two hundred forty-one-a twenty-six (241-a26) of this supplement to award a special contract for any work or material coming within the provisions of this and the two following chapters of this title but not included in contracts already in existence, or which cannot properly be made the subject of a general contract, if the amount of each such contract shall not exceed the amount of five hundred (500) dollars, and if special bids have been duly solicited by the said board from persons or firms engaged in the kind of work under consideration who have indicated a desire to bid on the class of work to be done.

(S. C. C. 241-a29, modified.)

That section two hundred forty-one-a sixty-eight (241-a68) of the supplement to the compiled code of Iowa be amended, revised, and codified to read as follows:

"Sec. 20. Iowa Documents.

At the time of printing the official reports there shall also be printed from the same type or plates an edition of five hundred (500) copies to be grouped together and bound in volumes of convenient size to be known as the Iowa Documents, of which there shall be one edition for each biennial period. Each volume as thus grouped shall contain a table of contents of all the volumes. There shall be included in the Iowa documents, in addition to the official report, the inaugural address and the messages and budget of the governor.

(S. C. C. 241-a68, modified)"

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Campbell	Mantz	Slosson
Adams	Ethell	Mead	Smith
Baird	Fulton	Nelson	Snook
Banta	Gilchrist	Newberry	Stoddard
Bergman	Goodwin	Olson	Thurston
Brookhart	Hale	Price	Tuck
Brookins	Haskell	Reed	White
Buser	Johnston	Shane	
Caldwell	McIntosh	Shinn	

Nays, none.

Absent or not voting, 15.

Bowman	Dutcher	Kimberly	Scott
Browne	Hartman	Perkins	Shaff
Cessna	Holdcogel	Rees	Wichman
Dartling	Horchem	Romkey	

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Banta offered the following amendment to the title and moved its adoption:

Strike out all of the title and substitute the following in lieu thereof:

A BILL FOR

An act to amend, revise, and codify sections one hundred (100), one hundred one (101), and two hundred seventy-five (275) of the compiled code of Iowa, and sections two hundred forty-one-a twenty-one (241-a21), two hundred forty-one-a twenty-nine (241-a29), two hundred forty-one-a thirty (241-a30), two hundred forty-one-a fifty-five (241-a55), two hundred forty-one-a sixty-two (241-a62), two hundred forty-one-a sixty-three (241-a63), two hundred forty-one-a sixty-four (241-a64), two hundred forty-one-a sixty-six (241-a66), two hundred forty-one-a sixty-eight (241-a68), two hundred forty-one-a seventy-four (241-a74), and two hundred forty-seven-a three (247-a3) of the supplement to said code, relating to reports of public officers, to the printing thereof, and to the duration of contracts for public printing.

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Holdoegel, House File No. 353, a bill for an act to amend chapter 237, acts of the Thirty-eighth General Assembly (C. C. chapter 7 title XI) as amended, relating to the construction, improvement and maintenance of highways and providing for the surfacing of roads belonging to secondary road system within 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 amendment was adopted:

Amend by inserting after the word "city" in line seven (7) of section one (1) of the original bill the words "including cities under special charter."

On motion of Senator Holdoegel further action on Senate File No. 353 was deferred until Tuesday, March 27th.

On motion of Senator Goodwin, House File No. 438, a bill for an act to amend section 4898 of the supplement to the code, 1913, (C. C. 9008) relating to breaking jail and punishment, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

. On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Ethell	Mantz	Shane
Adams	Fulton	Mead	Shinn
Baird	Gilchrist	Nelson	Slosson
Banta	Goodwin	Newberry	Smith
Bergman	Hale	Olson	Snook
Bowman	Hartman	Price	Stoddard
Brookhart	Horchem	Rees	Thurston
Campbell	Johnston	Romkey	White
Brookins	McIntosh		

Nays, none.

Absent or not voting, 15.

Browne	Darting	Kimberly	Shaff
Buser	Dutcher	Perkins	Tuck
Caldwell	Haskell	Reed	Wichman
Cessna	Holdoegel	Scott	

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

On motion of Senator Gilchrist, House File No. 408, a bill for an act to provide for the creation of a lien for advancements made by junior lien holders, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On motion of Senator Gilchrist the Senate reconsidered the vote by which House File No. 408 passed to its third reading.

Senator Shinn offered the following amendment and moved its adoption:

Amend by adding as section 3 the following:

Sec. 3. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Register and the Des Moines Capital, newspapers published in Des Moines, Iowa.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 36.

Abben	Caldwell	Holdoegel	Reed
Adams	Campbell	Horchem	Romkey
Baird	Ethell	McIntosh	Shane
Banta	Fulton	Mantz	Shinn
Bergman	Gilchrist	Mead	Slosson
Bowman	Goodwin	Nelson	Snook
Brookhart	Hale	Newberry	Stoddard
Brookins	Hartman	Olson	Thurston
Buser	Haskell	Price	Tuck

Nays, none.

Absent or not voting, 13.

Browne	Johnston	Rees	Smith
Cessna	Kimberly	Scott	White
Darting	Perkins	Shaff	Wichman
Dutcher			

The amendment was adopted.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Campbell	Johnston	Romkey
Adams	Ethell	McIntosh	Shane
Baird	Fulton	Mantz	Shinn
Banta	Gilchrist	Mead	Slosson
Bergman	Goodwin	Nelson	Snook
Bowman	Hale	Newberry	Stoddard
Brookhart	Hartman	Olson	Thurston
Brookins	Haskell	Price	Tuck
Buser	Holdoegel	Reed	
Caldwell	Horchem		

Nays, none.

Absent or not voting, 12.

Browne	Dutcher	Rees	Smith
Cessna	Kimberly	Scott	White
Darting	Perkins	Shaff	Wichman

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

On motion of Senator Gilchrist House File No. 460 was substituted for Senate File No. 432.

On motion of Senator Gilchrist, House File No. 460, a bill for an act to amend section 1258-c of the supplement to the code, 1913, as amended by chapter 391, acts of the Thirty-seventh General Assembly (C. C. sec. 694) relating to the removal of public officers and to extend the provisions thereof to include appointive officers, having been substituted for Senate File No. 432, was taken up and considered.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking from line 6 of section 1 the words "in line one (1)" and inserting in lieu thereof the words "as the second word".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 35.

Abben	Campbell	Horchem	Reed
Adams	Ethell	Johnston	Shane
Baird	Fulton	McIntosh	Shinn
Banta	Gilchrist	Mantz	Slosson
Bergman	Goodwin	Mead	Snook
Bowman	Hale	Nelson	Stoddard
Brookhart	Hartman	Newberry	Tuck
Brookins	Haskell	Olson	White
Buser	Holdoegel	Price	

Nays, none.

Absent or not voting, 13.

Browne	Dutcher	Romkey	Thurston
Caldwell	Kimberly	Scott	Wichman
Cessna	Perkins	Shaff	
Darting	Rees	Smith	

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 33.

Abben	Ethell	McIntosh	Shinn
Baird	Gilchrist	Mantz	Slosson
Banta	Goodwin	Mead	Snook
Bergman	Hale	Nelson	Stoddard
Bowman	Hartman	Newberry	Tuck
Brookhart	Haskell	Olson	White
Brookins	Holdoegel	Price	
Caldwell	Horchem	Reed	
Campbell	Johnston	Shane	

Nays, none.

Absent or not voting, 16.

Adams	Darting	Perkins	Shaff
Browne	Dutcher	Rees	Smith
Buser	Fulton	Romkey	Thurston
Cessna	Kimberly	Scott	Wichman

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

By unanimous consent Senator Gilchrist withdrew Senate File No. 432 from further consideration.

On motion of Senator Mead, House File No. 399, a bill for an act to legalize \$105,000.00 school building bonds dated May 1, 1920, of the independent school district of Greene, Butler county, Iowa, with report of committee recommending passage,

was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Mead moved that the reading just had be considered the third reading which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Abben	Caldwell	Horchem	Price
Adams	Ethell	Johnston	Shane
Baird	Fulton	McIntosh	Shinn
Banta	Gilchrist	Mantz	Slosson
Bergman	Goodwin	Mead	Snook
Brookhart	Hartman	Nelson	Stoddard
Brookins	Haskell	Newberry	Tuck
Buser	Holdoegel	Olson	White

Nays, none.

Absent or not voting, 17.

Bowman	Dutcher	Rees	Thurston
Browne	Hale	Romkey	Wichman
Campbell	Kimberly	Scott	
Cessna	Perkins	Shaff	
Darting	Reed	Smith	

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

On motion of Senator Brookhart, Senate File No. 587, a bill for an act to amend section 1 of chapter 228, acts Thirty-ninth General Assembly (S. C. C. 6534-a1) relating to legalizing acts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Brookhart moved that the reading just had be considered the third reading which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Abben	Buser	Holdoegel	Shane
Adams	Caldwell	Horchem	Shinn
Baird	Campbell	Johnston	Slosson
Banta	Ethell	McIntosh	Smith
Bergman	Fulton	Mead	Stoddard
Bowman	Goodwin	Newberry	Tuck
Brookhart	Hartman	Olson	White
Brookins	Haskell	Reed	

Nays, 2.

Gilchrist Price

Absent or not voting, 16.

Browne	Hale	Perkins	Shaff
Cessna	Kimberly	Rees	Snook
Darting	Mantz	Romkey	Thurston
Dutcher	Nelson	Scott	Wichman

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

On motion of Senator Reed, House File No. 334, a bill for an act to amend section 5008, chapter 11, title 24 of the code (C. C. 8888, 8889) relating to infringement of civil rights, providing for a specific penalty for violation thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Ethell	McIntosh	Shane
Adams	Fulton	Mantz	Shinn
Baird	Gilchrist	Mead	Slosson
Banta	Goodwin	Nelson	Smith
Bowman	Hartman	Newberry	Snook
Brookhart	Haskell	Olson	Stoddard
Brookins	Holdoegel	Price	Tuck
Caldwell	Horchem	Reed	
Campbell	Johnston	Romkey	

Nays, none.

Absent or not voting, 15.

Bergman	Darting	Perkins	Thurston
Browne	Dutcher	Rees	White
Buser	Hale	Scott	Wichman
Cessna	Kimberly	Shaff	

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

On motion of Senator Brookins, Senate File No. 544, a bill for an act to amend section 288, of the code of 1897, (C. C. 6974), relating to the records and books to be kept by the clerk of the district court, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Brookhart withdrew his amendment found on page 852 of the Senate Journal.

The bill was read for information.

Senator Brookins moved that the reading just had be considered the third reading which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Ethell	Mantz	Shinn
Adams	Fulton	Mead	Slosson
Baird	Gilchrist	Nelson	Smith
Banta	Goodwin	Newberry	Snook
Bowman	Hartman	Olson	Stoddard
Brookhart	Haskell	Price	Tuck
Brookins	Holdoegel	Reed	White
Buser	Johnston	Romkey	
Campbell	McIntosh	Shane	

Nays, none.

Absent or not voting, 15.

Bergman	Darting	Kimberly	Shaff
Browne	Dutcher	Perkins	Thurston
Caldwell	Hale	Rees	Wichman
Cessna	Horchem	Scott	

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

On motion of Senator Stoddard House File No. 375, a bill for an act to amend section two hundred fifty-four-a-twenty-three (254-a23), supplement to the code, 1913, (C. C. section 2103), relating to commitments to training schools for girls, 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 the word "reach" in the last line of section 1 and inserting in lieu thereof the word "reaches."

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 31.

Abben	Brookins	Hartman	McIntosh
Adams	Campbell	Haskell	Mantz
Banta	Ethell	Holdoegel	Mead
Bowman	Fulton	Horchem	Nelson
Brookhart	Gilchrist	Johnston	Newberry

Olson	Romkey	Smith	Tuck
Price	Shane	Snook	White
Reed	Slosson	Stoddard	

Nays, none.

Absent or not voting, 18.

Baird	Cessna	Kimberly	Shaff
Bergman	Darting	Perkins	Shinn
Browne	Dutcher	Rees	Thurston
Buser	Goodwin	Scott	Wichman
Caldwell	Hale		

The amendment was adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 32.

Abben	Caldwell	Holdoegel	Olson
Adams	Campbell	Horchem	Shane
Baird	Ethell	Johnston	Slosson
Banta	Fulton	McIntosh	Smith
Bowman	Gilchrist	Mantz	Snook
Brookhart	Goodwin	Mead	Stoddard
Brookins	Hartman	Nelson	Tuck
Buser	Haskell	Newberry	White

Nays, 1.

Shinn

Absent or not voting, 16.

Bergman	Dutcher	Price	Scott
Browne	Hale	Reed	Shaff
Cessna	Kimberly	Rees	Thurston
Darting	Perkins	Romkey	Wichman

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

On motion of Senator Gilchrist Senate File No. 342, a bill for an act relating to indictments and to criminal procedure, 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 thereof and inserting in lieu thereof the following: "An act repealing the law as it appears in section five thousand two hundred eighty-four (5284) of the code, (C. C. 9347) and enacting a substitute therfor relating to criminal procedure and providing for the joinder of more than one charge in the same indictment."

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 five thousand two hundred eighty-four (5284) of the code (C. C. 9347) be repealed and the following enacted in lieu thereof: 'When there are several charges against any person for the same act or transaction, or for two or more acts or transactions connected together, or for two or more acts or transactions of the same class of crimes or offenses, which may be properly joined, instead of having several indictments the whole may be joined in one indictment in separate counts; and if two or more indictments are found in such cases, the court may order them to be consolidated.

Sec. 2. Nothing herein shall affect indictments which may be returned for the commission of crimes committed prior to the taking effect of this act."

The bill was read for information.

Senator Gilchrist moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Abben	Caldwell	McIntosh	Shane
Adams	Campbell	Mantz	Smith
Baird	Ethell	Mead	Snook
Banta	Gilchrist	Nelson	Stoddard
Bowman	Goodwin	Newberry	Tuck
Brookhart	Haskell	Olson	White
Brookins	Horchem	Price	
Buser	Johnston	Romkey	

Nays, none.

Absent or not voting, 19.

Bergman	Fulton	Perkins	Shinn
Browne	Hale	Reed	Slosson
Cessna	Hartman	Rees	Thurston
Darting	Holdoegel	Scott	Wichman
Dutcher	Kimberly	Shaff	

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

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Haskell, Senate File No. 618, a bill for an act conferring additional powers on certain cities organized under chapter forty-eight (48) of the acts of the Thirty-second

General Assembly of Iowa, and amendments thereto (C. C. title XIII, chapt. 39), and providing for the acquisition by purchase or condemnation of land along and adjacent to meandered streams, and the improvement of land so acquired, and authorizing the issuance of bonds in payment of the cost of acquiring and improving same, and the levy of a tax for the improvement of said land and the payment of said bonds and the interest thereon, 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 from line 5, section 1, the words and figures "forty-five thousand (45,000)", and inserting in lieu thereof the words and figures "thirty-five thousand (35,000)."

The bill was read for information.

Senator Haskell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Abben	Campbell	Johnston	Shinn
Adams	Fulton	McIntosh	Slosson
Baird	Gilchrist	Mantz	Smith
Banta	Goodwin	Mead	Snook
Bowman	Hartman	Newberry	Stoddard
Brookhart	Haskell	Price	Thurston
Brookins	Holdoegel	Romkey	Tuck
Caldwell	Horchem	Shane	White

Nays, none.

Absent or not voting, 17.

Pergman	Dutcher	Olson	Shaff
Browne	Ethell	Perkins	Wichman
Buser	Hale	Reed	
Cessna	Imberly	Rees	
Darting	Nelson	Scott	

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

On motion of Senator Bowman, Senate File No. 595, a bill for an act to place a limit upon the hours of duty required of employees of fire departments in certain cities, 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 word "class" in line 2, section 1, the following: "having a population of 35,000 or over."

Senator Smith offered the following amendment and moved its adoption:

Amend by striking therefrom section 3 and renumbering the following sections.

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking the words "having a population of 35,000 or over" where they appear in section 1 and inserting them after the word "charter" in line 2 of section 1.

The amendment was adopted.

The bill was read for information.

Senator Bowman moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 28.

Abben	Caldwell	Holdoegel	Shinn
Adams	Ethell	Horchem	Slosson
Baird	Fulton	Johnston	Smith
Banta	Gilchrist	McIntosh	Snook
Bowman	Goodwin	Mantz	Stoddard
Brookhart	Hartman	Newberry	Thurston
Brookins	Haskell	Shane	Tuck

Nays, 1.

Buser

Absent or not voting, 20.

Bergman	Dutcher	Olson	Romkey
Browne	Hale	Perkins	Scott
Campbell	Kimberly	Price	Shaff
Cessna	Mead	Reed	White
Darting	Nelson	Rees	Wichinan

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

On motion of Senator Holdoegel, Senate File No. 624, a bill for an act to legalize one hundred twenty-five thousand dollars (\$125,000.00) courthouse bonds of Calhoun county, Iowa, and to authorize the issuance of one hundred twenty-five thousand (\$125,000.00) dollars refunding bonds of said county for the

purpose of refunding said courthouse bonds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Abben	Campbell	Johnston	Shinn
Adams	Ethell	McIntosh	Slosson
Baird	Fulton	Mantz	Smith
Bowman	Gilchrist	Mead	Stoddard
Brookhart	Goodwin	Newberry	Thurston
Brookins	Haskell	Reed	Tuck
Browne	Holdoegel	Romkey	White
Caldwell	Horchem	Shane	

Nays, 2.

Buser Snook

Absent or not voting, 16.

Banta	Dutcher	Nelson	Rees
Bergman	Hale	Olson	Scott
Cessna	Hartman	Perkins	Shaff
Darting	Kimberly	Price	Wichman

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

Senator Holdoegel moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table; which motion prevailed.

On motion of Senator Buser, House File No. 516, a bill for an act to amend section nine hundred seventy (970) of the code (C. C. 4385), relating to road districts in cities under special charter, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Abben	Ethell	McIntosh	Smith
Adams	Fulton	Mantz	Snook
Baird	Gilchrist	Mead	Stoddard
Brookhart	Goodwin	Nelson	Thurston
Brookins	Hartman	Newberry	Tuck
Browne	Haskell	Olson	White
Buser	Holdoegel	Romkey	
Caldwell	Horchem	Shane	
Campbell	Johnston	Slosson	

Nays, none.

Absent or not voting, 16.

Banta	Darting	Perkins	Scott
Bergman	Dutcher	Price	Shaff
Bowman	Hale	Reed	Shinn
Cessna	Kimberly	Rees	Wichman

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

On motion of Senator Stoddard Senate File No. 454, a bill for an act relating to appropriation of funds to enable board of railroad commission to continue investigation of valuation of property of common carriers made by interstate commerce commission, 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 following, beginning in the fourteenth line of section one (1), "and thereafter there is hereby appropriated the sum of twenty thousand dollars (\$20,000), annually," and substituting in lieu thereof the following: "and there is also appropriated the sum of twenty thousand dollars (\$20,000) annually for the succeeding biennial period, ending July 1, 1925."

On motion of Senator Thurston further action on Senate File No. 454 was deferred.

On motion of Senator White, Senate File No. 390 was ordered returned by the committee on judiciary No. 1 and placed on the calendar.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which Senate File No. 302 failed to pass the Senate.

JNO. R. PRICE.

RESOLUTION FOR FINAL ADJOURNMENT

Senator Banta offered the following resolution:

Be It Resolved by the Senate, the House concurring, That the Fortieth General Assembly adjourn sine die, at twelve o'clock noon, Monday, April 16th, 1923.

The resolution was laid over under the rules.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

On motion of Senator Stoddard House File No. 498 was substituted for Senate File No. 454.

INTRODUCTION OF BILLS

Senate File No. 700, by committee on public schools, a bill for an act to provide for physical education and training in health in public schools of this state.

Read first and second times and ordered placed on the calendar.

Senate File No. 701, by committee on motor vehicles, a bill for an act to amend section fifty-five hundred seventy-three (5573) of the code of 1897 (C. C. section 8054) relating to the disposition of stolen, embezzled or abandoned motor vehicles not claimed by the owner thereof.

Read first and second times and ordered placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File No. 498, a bill for an act to repeal section three (3), chapter two hundred eighty-four (284), acts of the Thirty-seventh (37th) General Assembly, as amended by chapter three hundred thirty-seven (337), acts of the Thirty-ninth (39th) General Assembly, and to enact a substitute in lieu thereof, relating to appropriation of funds to enable the board of railroad commissioners to continue the investigation of the valuation of the property of common carriers made by the interstate commerce commission.

Read first and second times and ordered placed on the calendar.

House File No. 732, a bill for an act to amend chapter two hundred eighty-seven (287) acts of the Thirty-eighth General

Assembly as amended by the acts of the Thirty-ninth General Assembly (C. C. title VIII, chapter 15) so as to permit the establishment of additional methods for the eradication of bovine tuberculosis and to promote the health and welfare of the citizens of the state.

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

REPORTS OF COMMITTEES

Senator Abben submitted the following report:

MR. PRESIDENT: Your committee on military affairs to which was referred Senate File No. 567, a bill for an act to pension survivors of the Captain John W. Ferguson's company of state militia known as "Davis County Regulators", providing the amount of such pension, the method of payment and making an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same be referred to the appropriations committee with the recommendation that the same do pass.

BEN C. ABBEN, JR., *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Senator Johnston submitted the following report:

MR. PRESIDENT: Your committee on mines and mining to which was referred House File No. 366, a bill for an act to require mine inspectors to post notice of conditions found in any mine where inspected in the performance of their duty, and to provide a penalty for the destruction thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

JAS. F. JOHNSTON, *Chairman*.

Ordered passed on file.

AMENDMENT TO RESOLUTION FILED

MR. PRESIDENT: I move to amend the concurrent resolution relative to final adjournment by striking out the words "Monday, April 16," and substituting in lieu thereof "Thursday, April 12,".

H. J. MANTZ.

The Journal of March 23d was corrected and approved.

On motion of Senator Stoddard the Senate adjourned until 9:30 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER.
DES MOINES, IOWA, MARCH 26, 1923

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. Wayne Lee Waters, pastor of Waveland Park church of Des Moines.

On motion of Senator Darting rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hale for today and tomorrow, on request of Senator Reed; Senator Ethell for the forenoon, on request of Senator Slosson; Senator Perkins for the day, on request of Senator Fulton; Senator Price for the day, on request of Senator Caldwell; Senator Kimberly for the day, on request of Senator Brookhart.

PETITIONS AND MEMORIALS

Senator Slosson presented a petition from citizens of Northwood protesting the proposed tax on tobacco. Referred to the committee on ways and means.

Senator Olson presented a petition from taxpayers of Madrid endorsing the teachers' annuity bill. Referred to committee on schools.

Senator Holdoegel presented a petition from citizens of Fort Dodge protesting Senate File 508 relative to reforestation. Referred to committee on conservation.

Petitions from the Modern Woodmen protesting House File 544 were presented by Senator Olson from Camp 458, Ames; by Senator Cessna from Camp 4106, Delta; by Senator Brookins from Camp 3252, Bassett; by Senator Holdoegel from Camp 3961, Dayton; and by Senator Gilchrist from Camp 3152, Humboldt. All were referred to the committee on insurance.

Petitions from the Brotherhood of Yeomen endorsing House File 544 were presented by Senator Olson from Homestead 833, Ames; by Senator Shinn from Homestead 617, Mondamin; by Senator

Slosson from Homestead 498, Forest City; by Senator Gilchrist from Homestead 1289, Gilmore City, and by Senator Hartman from Homesteads 89 and 78, Hawkeye and Elgin. Referred to committee on insurance.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed on March 23d the following bills: Senate Files Nos. 290 and 512.

REPORTS OF COMMITTEES

Senator Fulton submitted the following report:

MR. PRESIDENT: Your committee on banks to which was referred House File No. 687, a bill for an act to amend section eighteen hundred fifty-a (1850-a), supplement to the code, 1913 (C. C. 5777), relating to the surplus fund of savings banks; and to amend section eighteen hundred eighty-nine-l (1889-l), supplement to the code, 1913 (C. C. 5831), relating to the surplus fund of banks and trust companies acting in fiduciary capacity; and to require all state banks to create a surplus fund, beg leave to report it has had the same under consideration and recommends the same do pass.

C. J. FULTON, *Chairman*.

Ordered passed on file.

Senator Baird submitted the following report:

MR. PRESIDENT: Your committee on claims to which was referred Senate File No. 510, a bill for an act authorizing the fish and game warden to pay the bill for transporting the Iowa state fish car Hawkeye No. 2 in 1913 and 1915, and legalizing his acts in respect thereto, begs leave to report it has had the same under consideration and recommends the same do pass after being referred to committee on appropriations.

W. S. BAIRD, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on claims to which was referred Senate File No. 540, a bill for an act to reimburse and compensate Carl F. Schatz and Laura Schatz, on account of the death of their son and making an appropriation to pay the same, begs leave to report it has had the same under consideration and recommends the same do pass after being referred to the committee on appropriations.

W. S. BAIRD, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on claims to which was referred Senate File No. 452, a bill for an act making an appropriation to defray the expenses incurred by the Fort Dodge, Des Moines & Southern Railroad Company made necessary in clearing its tracks on account of the slide which occurred at the south end of the Capitol grounds extension in the spring of 1920, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass, after being referred to committee on appropriations.

Amend by striking out of lines two and three, section one, the words and figures "nine thousand four hundred eight dollars and six cents (\$9,408.06)", and inserting in lieu thereof the words and figures "six thousand twenty-nine dollars and sixty-two cents (\$6,029.62)".

W. S. BAIRD, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on claims to which was referred Senate File No. 536, a bill for an act to make an appropriation for the purpose of indemnifying Joe Banoch for damages occasioned by reason of sustaining a loss of three fingers while engaged in performing his duties in the state reformatory at Anamosa, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass, after being referred to committee on appropriations:

Amend by striking from line two, section one, the words and figures "one thousand dollars (\$1,000)" and inserting in lieu thereof the words and figures "eight hundred fifty-five dollars (\$855.00)".

W. S. BAIRD, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

On motion of Senator Fulton, House File No. 687 was substituted for Senate File No. 622.

THIRD READING OF BILLS

On motion of Senator Fulton, House File No. 687, a bill for an act to amend section eighteen hundred fifty-a (1850-a) supplement to the code, 1913, (C. C. 5777), relating to the surplus fund of savings banks; and to amend section eighteen hundred eighty-nine-l (1889-l) supplement to the code, 1913, (C. C. 5831), relating to the surplus funds of banks and trust companies acting in fiduciary capacity; and to require all state banks to create a surplus fund,

having been substituted for Senate File No. 622, was taken up and considered.

The bill was read for information.

Senator Fulton moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Campbell	Mantz	Slosson
Adams	Darting	Mead	Snook
Baird	Dutcher	Nelson	Stoddard
Banta	Fulton	Newberry	Thurston
Bergman	Gilchrist	Olson	Tuck
Bowman	Hartman	Reed	White
Brookins	Holdoegel	Shaff	Wichman
Buser	Horchem	Shane	
Caldwell	McIntosh	Shinn	

Nays, 2.

Browne Johnston

Absent or not voting, 13.

Brookhart	Hale	Price	Scott
Cessna	Haskell	Rees	Smith
Ethell	Kimberly	Romkey	
Goodwin	Perkins		

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

By unanimous consent Senator Fulton withdrew Senate File 622 from further consideration.

On motion of Senator Baird, Senate File No. 461, a bill for an act to repeal section two (2), chapter one hundred twenty (120), acts of the Thirty-eighth General Assembly (C. C. 2676) relating to the attendance of deaf and blind children at state schools, and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Baird offered the following amendment and moved its adoption:

Amend by striking the word "shall" from line 16 of section 1 and inserting in lieu thereof the word "may".

The amendment was adopted.

By unanimous consent Senator Baird withdrew his amendment.

Senator Horchem offered the following amendment and moved its adoption:

Amend by inserting after the word "institution" in line 13 the words "or proper day school".

The amendment was lost.

The bill was read for information.

Senator Baird moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 31.

Abben	Browne	Haskell	Olson
Adams	Caldwell	Holdoegel	Reed
Baird	Campbell	Horchem	Shaff
Banta	Darting	McIntosh	Slosson
Bergman	Dutcher	Mantz	Stoddard
Bowman	Fulton	Mead	White
Brookhart	Gilchrist	Nelson	Wichman
Brookins	Hartman	Newbery	

Nays, 6.

Buser	Romkey	Shinn	Snook
Johnston	Shane		

Absent or not voting, 12.

Cessna	Hale	Price	Smith
Ethell	Kimberly	Rees	Thurston
Goodwin	Perkins	Scott	Tuck

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File No. 374, a bill for an act making an appropriation to reimburse the chair and furniture industry located at the state penitentiary, Fort Madison, Iowa, for chairs purchased for the committee clerks in the Thirty-eighth General Assembly, as authorized by the Senate concurrent resolution dated March 22, 1919.

Also, 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 the law as it appears in section one thousand nine hundred and twenty-six (1920-16) of the

supplemental supplement to the code, 1915, relating to the sale of stocks and bonds and other securities, providing for the issuance of a permit by the secretary of state, and the cancellation thereof, for the investigation of the securities to be offered for sale and the furnishing of a bond by such broker, and providing for the forfeiture thereon and the amount of liability on said bond.

Also, 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 prohibit the sale or exchange, or to have in possession with intent to sell or exchange, any milk, cream, ice cream, skim milk, buttermilk, condensed or evaporated milk, powdered or desiccated milk, condensed skim milk, or any of the fluid derivatives of any of them to which has been added any fat or oil other than milk fat; providing penalties for the violation of the provisions of this act, and amending chapter two hundred six (206), acts of the Thirty-eighth General Assembly (C. C. 1445).

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 471, a bill for an act to amend the law as it appears in section one thousand four hundred seven (1407) of the supplement to the code, 1913, (C. C. 4653), relating to the collection of delinquent personal tax.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 677, a bill for an act relating to the levying, under certain conditions, of a schoolhouse tax by independent school districts and the issuing of certificates or bonds in anticipation of the collection of such tax and providing for a special schoolhouse fund.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 622, a bill for an act to amend section two thousand nine hundred seventy (2970) of the compiled code of Iowa (sec. 1522, S. 1913), relating to the powers and duties of trustees to levy and expend taxes for road and drainage purposes.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 607, a bill for an act to amend section five thousand seventy-seven-a6 (5077-a6), supplement to the code, 1913 (C. C. 1514), relating to commercial feeding stuffs.

Also, 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 repeal section twenty-five (25) of chapter one hundred seventy-three (173), laws of the Thirty-ninth General Assembly, (supplement to the compiled code, 1921, sec. 1783-a25), also to repeal sections eleven (11), twelve (12), fifteen (15), sixteen (16), seventeen (17) and eighteen (18) of chapter one hundred seventy-three (173), laws of the Thirty-ninth General Assembly, (supplement to the compiled code, 1921, secs. 1783-a11, 1783-a12, 1783-a15, 1783-a16,

1783-a17, and 1783-a18, and enact substitutes therefor; and to amend section twenty-two (22) of chapter one hundred seventy-three (173), laws of the Thirty-ninth General Assembly, (supplement to the compiled code, 1921, sec. 1783-a22) relating to the manufacture, distribution and use of hog cholera virus and anti-hog cholera serum; and to provide for the regulation of the manufacture, distribution and use of hog-cholera virus, and anti-hog cholera serum.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 614, a bill for an act to amend section twenty-seven hundred twenty-seven-a sixty-one (2727-a61), supplement to the code, 1913, (C. C. 2047) relating to compensation of inspectors under the board of control.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 402, a bill for an act to define a misdemeanor committed by any person masked or in disguise who shall prowl, travel, ride or walk within this state to the disturbance of the peace and to the intimidation of any person, and to provide a punishment therefor, and to define assault with intent to commit a felony committed by any person masked or in disguise and to provide a punishment therefor, and to define assault with a dangerous weapon by a person while masked or in disguise, and to provide a punishment therefor.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 600, a bill for an act to amend section two thousand seven hundred ninety-four-d (2794-d), supplement to the code, 1913 (C. C. sec. 2527), relating to aid to consolidated schools.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Shaff, Senate File No. 391, a bill for an act to repeal the law as it appears in section eleven (11), chapter two hundred seventy-five (275), and all of chapter three hundred seventy (370), acts of the Thirty-eighth General Assembly, as amended by sections one (1) and nineteen (19), chapter one hundred fifty-nine (159), acts of the Thirty-ninth General Assembly (C. C. 3054), and to substitute therefor the following, relating to operators' and chauffeurs' licenses, was taken up and considered, the committee on motor vehicles having reported the bill out without recommendation.

Senator Gilchrist moved that Senate File No. 391 be referred to the committee on judiciary No. 2 for further consideration, which motion was lost.

Senator Shaff offered the following amendment and moved its adoption:

Amend by striking the word "circuit" from line 2 of section 4 and inserting in lieu thereof the word "district".

The amendment was adopted.

The bill was read for information:

Senator Shaff moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 4.

Banta	Bowman	Caldwell	Mead
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Nays, 24.

Abben	Browne	Hartman	Shinn
Adams	Buser	Haskell	Slosson
Baird	Campbell	McIntosh	Thurston
Bergman	Darting	Mantz	Tuck
Brookhart	Gilchrist	Reed	White
Brookins	Goodwin	Shane	Wichman

Absent or not voting, 21.

Cessna	Horchem	Perkins	Smith
Dutcher	Johnston	Price	Snook
Ethell	Kimberly	Rees	Stoddard
Fulton	Nelson	Romkey	
Hale	Newberry	Scott	
Holdoegel	Olson	Shaff	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Gilchrist, Senate File No. 524, a bill for an act to amend section 2734-d, supplement to the code, 1913, (C. C. 2482), relating to the issuance of teacher's certificates by the board of educational examiners, 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 therefrom all of section one (1) thereof following the word "physics" in line seven (7) thereof, and inserting in lieu thereof the following:

"a showing that the applicant has done work and earned satisfactory grades in the study of any one or more of the subjects of rural school management, rural sociology, and rural school methods, in any collegiate institution approved by the state educational board of examiners for such purpose; but the study and work done in each subject must be of

college grade and cover a course of not less than five hours per week for twelve weeks".

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 34.

Adams	Caldwell	Horchem	Shane
Baird	Campbell	McIntosh	Slosson
Banta	Darting	Mantz	Snook
Bergman	Dutcher	Mead	Thurston
Bowman	Fulton	Nelson	Tuck
Brookhart	Gilchrist	Newberry	White
Brookins	Hartman	Reed	Wichman
Browne	Haskell	Romkey	
Buser	Holdoegel	Shaff	

Nays, none.

Absent or not voting, 15.

Abben	Hale	Perkins	Shinn
Cessna	Johnston	Price	Smith
Ethell	Kimberly	Rees	Stoddard
Goodwin	Olson	Scott	

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

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senter Darting, Senate File No. 546, a bill for an act to authorize special charter cities who have abandoned their charters to transfer funds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Darting moved that 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	Brookins	Fulton	Johnston
Baird	Browne	Gilchrist	McIntosh
Banta	Caldwell	Goodwin	Mantz
Bergman	Campbell	Hartman	Mead
Bowman	Darting	Haskell	Nelson
Brookhart	Dutcher	Holdoegel	Newberry

Reed	Shane	Snook	Tuck
Romkey	Shinn	Stoddard	White
Shaff	Slosson	Thurston	Wichman

Nays, none.

Absent or not voting, 13.

Abben	Hale	Perkins	Scott
Buser	Horchem	Price	Smith
Cessna	Kimberly	Rees	
Ethell	Olson		

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

On motion of Senator Caldwell, Senate File No. 394, a bill for an act to provide for an appropriation of fifty thousand dollars (\$50,000) annually during the next biennial, improving school conditions in coal mining camps, 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 "his" in line six (6) of section one (1) thereof, and substituting therefor the word "its".

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 34.

Adams	Darting	Johnston	Shinn
Baird	Dutcher	McIntosh	Snook
Banta	Fulton	Mead	Stoddard
Bergman	Gilchrist	Newberry	Thurston
Bowman	Goodwin	Olson	Tuck
Brookhart	Hartman	Reed	White
Buser	Haskell	Romkey	Wichman
Caldwell	Holdoegel	Shaff	
Campbell	Horchem	Shane	

Nays, none.

Absent or not voting, 15.

Abben	Ethell	Nelson	Scott
Brookins	Hale	Perkins	Slosson
Browne	Kimberly	Price	Smith
Cessna	Mantz	Rees	

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

On motion of Senator Holdoegel, Senate File No. 539, a bill for an act to repeal section 4, chapter 304, acts of the 39th General As-

ssembly, and to enact substitutes therefor, making an appropriation for certain purposes connected with the work of the Iowa state dairy association, the Iowa beef cattle producers' association, and the Iowa corn and small grain growers' association, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Holdoegel moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time

On the question, "Shall the bill pass?" the vote was:

Ayes, 34.

Adams	Campbell	Mead	Smith
Baird	Darting	Newberry	Snook
Banta	Dutcher	Olson	Stoddard
Bergman	Fulton	Reed	Thurston
Bowman	Gilchrist	Rees	Tuck
Brookhart	Goodwin	Shaff	White
Brookins	Haskell	Shane	Wichman
Browne	Holdoegel	Shinn	
Caldwell	Horchem	Slosson	

Nays, none.

Absent or not voting, 15.

Abben	Hale	McIntosh	Price
Buser	Hartman	Mantz	Romkey
Cessna	Johnston	Nelson	Scott
Ethell	Kimberly	Perkins	

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

On motion of Senator Hartman, Senate File No. 566, a bill for an act appropriating the sum of three hundred twenty-six dollars ninety-five cents (\$326.95) to reimburse George W. Metcalf, editor of the Lansing Mirror, for printing done by Mr. Metcalf on order of the motor transport committee of the state council of defense, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Adams	Bowman	Buser	Fulton
Baird	Brookhart	Caldwell	Gilchrist
Banta	Brookins	Campbell	Hartman
Bergman	Browne	Darting	Haskell

Holdoegel	Nelson	Shaff	Stoddard
Horchem	Newberry	Shane	Thurston
Johnston	Olson	Shinn	Tuck
McIntosh	Rees	Slosson	White
Mead	Romkey	Snook	Wichman

Nays, none.

Absent or not voting, 13.

Abben	Goodwin	Perkins	Scott
Cessna	Hale	Price	Smith
Dutcher	Kimberly	Reed	
Ethell	Mantz		

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

On motion of Senator Stoddard, House File No. 372, a bill for an act to repeal the law as it appears in section 6, chapter 37, acts of the 38th General Assembly, (S. C. C. 2457), and section 3, chapter 297, acts of the 39th General Assembly (S. C. C. 2457), and to enact substitutes therefor; and to amend sections 11 (C. C. 2469) and 12 (C. C. 2470), chapter 165, acts of the 38th General Assembly, and sections 2 (C. C. 2038) and 7 (C. C. 2159), chapter 37, acts of the 38th General Assembly; relating to the support funds of various state institutions under the supervision of the Board of Control of State Institutions, 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 reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Abben	Darting	Horchem	Shane
Adams	Fulton	Mantz	Slosson
Baird	Gilchrist	Mead	Snook
Banta	Goodwin	Newberry	Stoddard
Bergman	Hartman	Olson	White
Bowman	Haskell	Reed	Wichman
Campbell	Holdoegel	Shaff	

Nays, none.

Absent or not voting, 22.

Brookhart	Dutcher	Nelson	Shinn
Brookins	Ethell	Perkins	Smith
Browne	Hale	Price	Thurston
Buser	Johnston	Rees	Tuck
Caldwell	Kimberly	Romkey	
Cessna	McIntosh	Scott	

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

On motion of Senator Fulton, Senate File No. 362, a bill for an act to compensate Second Lieutenant Charles R. Messett, 133d Infantry, Iowa National Guard, for injuries received in line of duty, and for hospital and medical services, and loss of pay in his civil occupation, and making an appropriation to pay such compensation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Fulton moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time,

On the question, "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Darting	McIntosh	Slosson
Adams	Fulton	Mantz	Snook
Baird	Gilchrist	Mead	Stoddard
Bergman	Goodwin	Nelson	Thurston
Bowman	Hartman	Newberry	Tuck
Brookins	Haskell	Olson	White
Browne	Holdoegel	Reed	Wichman
Buser	Horchem	Shane	
Campbell	Johnston	Shinn	

Nays, none.

Absent or not voting, 15.

Banta	Dutcher	Perkins	Scott
Brookhart	Ethell	Price	Shaff
Caldwell	Hale	Rees	Smith
Cessna	Kimberly	Romkey	

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

By unanimous consent on request of Senator Haskell, the Secretary of the Senate was requested to draft a substitute for Senate File No. 637, which was lost.

On the motion of Senator Shane the Secretary of the Senate was instructed to send a message of condolence on the part of the Senate to the widow of Captain Frank Younkin.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

HOUSE MESSAGES CONSIDERED

House File No. 600, a bill for an act to amend section two thousand seven hundred ninety-four-d (2794-d), supplement to the code, 1913 (C. C. sec. 2527), relating to aid to consolidated schools.

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

House File No. 614, a bill for an act to amend section twenty-seven hundred twenty-seven-a-sixty-one (2727-a61), supplement to the code, 1913, (C. C. 2047) relating to compensation of inspectors under the board of control.

Read first and second times and referred to committee on board of control.

House File No. 402, a bill for an act to define a misdemeanor committed by any person masked or in disguise who shall prowl, travel, ride or walk within this state to the disturbance of the peace and to the intimidation of any person, and to provide a punishment therefor, and to define assault with intent to commit a felony committed by any person masked or in disguise and to provide a punishment therefor and to define assault with a dangerous weapon by a person while masked or in disguise, and to provide a punishment therefor.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 677, a bill for an act relating to the levying, under certain conditions, of a school house tax by independent school districts and the issuing of certificates or bonds in anticipation of the collection of such tax and providing for a special schoolhouse fund.

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

House File No. 622, a bill for an act to amend section two thousand nine hundred seventy (2970) of the compiled code of Iowa (sec. 1528 S. 1913) relating to the powers and duties of trustees to levy and expend taxes for road and drainage purposes.

Read first and second times and referred to committee on county and township affairs.

House File No. 607, a bill for an act to amend section five thousand seventy-seven-a-6 (5077-a6), supplement to the code, 1913 (C. C. 1514), relating to commercial feeding stuffs.

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

House File No. 495, a bill for an act to repeal section twenty-five (25) of chapter one hundred seventy-three (173), laws of the Thirty-ninth General Assembly, (supplement to the compiled code, 1921, sec. 1783-a25), also to repeal sections eleven (11), twelve (12), fifteen (15), sixteen (16), seventeen (17) and eighteen (18) of chapter one hundred seventy-three (173), laws of the Thirty-ninth General Assembly, (supplement to the compiled code, 1921, sec. 1783-a11, 1783-a12, 1783-a15, 1783-a16, 1783-a-17, and 1783-a18), and enact substitutes therefor; and to amend section twenty-two (22) of chapter one hundred seventy-three (173), laws of the Thirty-ninth General Assembly, (supplement to the compiled code, 1921, sec. 1783-a22) relating to the manufacture, distribution and use of hog cholera virus and anti-hog cholera serum; and to provide for the regulation of the manufacture, distribution and use of hog-cholera virus, and anti-hog cholera serum.

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

REPORTS OF COMMITTEES

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 280, a bill for an act to amend section seven hundred ninety-two-a (792-a), supplement to the code, 1913 (C. C. 3850), limiting the amount of special assessments to property in cities and towns, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

W. G. HASKELL, *Chairman*

The report was adopted and the bill indefinitely postponed.

Senator Mantz submitted the following report:

MR. PRESIDENT: Your committee on educational institutions to which was referred House File No. 550, a bill for an act to amend section twenty-six hundred twenty-eight (2628) of the code, as amended, (S. C. C. 2295), relating to the board of educational examiners, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. J. MANTZ, *Chairman*.

The report was adopted and the bill indefinitely postponed.

On motion of Senator Smith Senate Files Nos. 625, 626 and 627 were made a special order for 10 a. m., Wednesday, April 4th.

On motion of Senator Fulton Senate File No. 410 was ordered returned by the committee on elections and placed on the calendar.

THIRD READING OF BILLS

On motion of Senator McIntosh, Senate File No. 347, a bill for an act to amend chapter thirteen (13) of the supplement to the code, 1913, (C. C. sec. 2089), chapter five-b (5-b), section two hundred fifty-four-a fourteen (254-a14), relating to widows' pensions, 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. That section two hundred fifty-four-a fourteen (254-a14) supplement to the code 1913 (C. C. sec. 2089) be amended as follows: By inserting after the comma following the word "years" the following: "who has been a resident of this state continuously for one year, and whose parent, guardian or other person having the care, custody and control of said child or children, has been a resident of this state continuously for a period of one year next preceding the time of application for the benefits of the provisions of this chapter."

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by inserting after the word "years" in line 3 the words "in the second line of said section".

The amendment was adopted.

By unanimous consent on request of Senator Gilchrist the words "has been a resident" were stricken from line 4 and the words "have been residents" were inserted in lieu thereof.

The bill was read for information.

Senator McIntosh moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Abben
Baird
Banta
Bergman
Bowman
Brookhart

Brookins
Browne
Buser
Caldwell
Campbell
Darting

Dutcher
Etheil
Fulton
Gilchrist
Goodwin
Hartman

Haskell
Holdoegel
Horchem
Johnston
McIntosh
Mantz

Mead	Rees	Slosson	Tuck
Nelson	Romkey	Smith	White
Newberry	Scott	Snook	Wichman
Olson	Shane	Stoddard	
Reed	Shinn	Thurston	

Nays, none.

Absent or not voting, 7.

Adams	Hale	Perkins	Shaff
Cessna	Kimberly	Price	

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

On motion of Senator Stoddard, House File No. 379, a bill for an act to repeal section 4, chapter one hundred and nine (109), acts of the Thirty-ninth General Assembly, relating to election of officials of cities under the commission form of government, 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 thereto the following as section 2:

Sec. 2. That chapter 109, acts of the Thirty-ninth General Assembly be and the same is hereby amended by striking therefrom the phrase, "superintendent of accounts and finances, and parks and public property" wherever it appears in said act and inserting in lieu thereof the phrase, "superintendent of accounts, finances and public safety"; also, by striking from said act the phrase, "superintendent of public safety and streets and public improvements" wherever it therein appears and by inserting in lieu thereof the phrase, "superintendent of parks, public property, streets and improvements", also, by striking from said act, lines 72 to 75 both inclusive and inserting in lieu thereof, the following:

"twenty-five thousand (25,000) the departments of "accounts and finances" and "public safety" shall be presided over by one and the same person; and the departments of "parks and public property" and "streets and public improvements" shall be presided over by one and".

By unanimous consent on request of Senator Stoddard the words "section one (1) of" were inserted in line six of the amendment between the words "from" and "said."

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Abben	Campbell	McIntosh	Shane
Baird	Cessna	Mantz	Slosson
Bergman	Dutcher	Mead	Snook
Brookhart	Ethell	Newberry	Stoddard
Brookins	Fulton	Olson	Thurston
Browne	Gilchrist	Reed	White
Buser	Hartman	Rees	Wichman
Caldwell	Haskell	Shaff	

Nays, none.

Absent or not voting, 18.

Adams	Hale	Nelson	Scott
Banta	Holdoegel	Perkins	Shinn
Bowman	Horchem	Price	Smith
Darting	Johnston	Romkey	Tuck
Goodwin	Kimberly		

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Stoddard offered the following amendment to the title and moved its adoption:

Amend by striking out all of said title and inserting in lieu thereof the following:

"A bill for an act to amend section one (1) and to repeal section four (4) of chapter one hundred nine (109) acts of the Thirty-ninth General Assembly, relating to the elections of officers of cities under the commission form of government."

(On the question "Shall the amendment to the title be adopted?" the vote was:

Ayes, 33.

Abben	Campbell	McIntosh	Slosson
Baird	Dutcher	Mantz	Snook
Bergman	Ethell	Mead	Stoddard
Bowman	Fulton	Nelson	Thurston
Brookhart	Gilchrist	Newberry	White
Brookins	Hartman	Olson	Wichman
Browne	Haskell	Reed	
Buser	Holdoegel	Rees	
Caldwell	Horchem	Shane	

Nays, none.

Absent or not voting, 16.

Adams	Goodwin	Perkins	Shaff
Banta	Hale	Price	Shinn
Cessna	Johnston	Romkey	Smith
Darting	Kimberly	Scott	Tuck

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Gilchrist Senate File No. 599, a bill for an act to amend section 1137-a15 supplement to the code, 1913, relating to the use of voting machines, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by inserting in line 3 of section 2 after the word "impossible" the following: "without additional expense".

The amendment was adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Abben	Darting	Mantz	Shane
Baird	Dutcher	Mead	Smith
Bergman	Fulton	Newberry	Snook
Bowman	Gilchrist	Olson	Thurston
Brookhart	Holdoegel	Romkey	Tuck
Brookins	Horchem	Scott	White
Buser	Johnston	Shaff	Wichman
Campbell	McIntosh		

Nays, 3.

Caldwell	Goodwin	Haskell
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Absent or not voting, 16.

Adams	Ethell	Nelson	Rees
Banta	Hale	Perkins	Shinn
Browne	Hartman	Price	Slosson
Cessna	Kimberly	Reed	Stoddard

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

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Brookhart, Senate File No. 490, a bill for an act to amend section thirteen hundred four supplemental supplement to the code 1915 as amended by chapter one hundred ninety-one (191) of the Thirty-seventh General Assembly and chapters one hundred fifteen (115), two hundred fourteen (214), two hundred fifty-seven (257) and three hundred seventy-seven (377) of the Thirty-eighth General Assembly (C. C. Sec. 4482), relating to exemptions of homes for disabled soldiers, 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 by striking the word "found" from line 8 of section 1 and inserting in lieu thereof the word "fund".

Also amend by inserting after the comma following the word "buildings" in line 9 of section 1 the word "grounds,".

Also amend by striking the period at the end of section 1 and adding the following: "shall not be taxed."

The amendments were adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 40.

Abben	Campbell	Johnston	Scott
Baird	Cessna	McIntosh	Shane
Banta	Darting	Mantz	Slosson
Bergman	Ethell	Mead	Smith
Bowman	Fulton	Nelson	Snook
Brookhart	Gilchrist	Newberry	Stoddard
Brookins	Goodwin	Olson	Thurston
Browne	Haskell	Reed	Tuck
Euser	Holdoegel	Rees	White
Caldwell	Horchem	Romkey	Wichman

Nays, none.

Absent or not voting, 9.

Adams	Hartman	Price	Shinn
Dutcher	Kimberly	Shaff	
Hale	Perkins		

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files 59, 305, 397 and 419, and House Files 284, 360 and 479.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

BILLS SIGNED BY THE PRESIDENT

The president of the Senate announced that, as president of the Senate, he had signed in the presence of the Senate: Senate

Files Nos. 59, 305, 397, and 419, and House Files Nos. 284, 360, and 479.

CONCURRENT RESOLUTION

Senator Reed offered the following resolution and moved its adoption:

Whereas, A committee from the legislature of Alabama is to be in the city of Des Moines on March 28th, therefore,

Be It Resolved by the Senate, the House concurring. That a joint meeting of the General Assembly be held in the House chamber, and that the Governor be requested to transmit this invitation to such committee.

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

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File No. 391 by striking from line thirteen (13) of section one (1) the word "six," and inserting in lieu thereof the word, "fifteen."

J. A. NELSON.

MR. PRESIDENT: I move to amend Senate File 678 as follows:

Section 2. Amend section 1566-a (C. C. 2997) supplement to the code of 1913, by inserting in line three (3) after the word "first" the following: "Wednesday after the first".

Section 3. Amend section 1527-s16, supplemental supplement of 1915 (C. C. 2996), by striking out of line eighteen (18) the word "day" and by substituting therefor the words "Wednesday after the first Monday"; also amend said section by substituting a period (.) for the comma (,) after the word "auditor" in line nineteen (19) thereof and by striking out the remainder of said section.

Also amend the title by inserting a semicolon (;) after enclosure mark following numerals "1970" and by adding the following: "Also to amend section 1566-a, code of 1913 (C. C. 2997); also to amend section 1527-s16, supplemental supplement of 1915 (C. C. 2996)".

LLOYD THURSTON.

PROOF OF PUBLICATION

State of Iowa, County of Des Moines, ss.

I, C. M. Waite, being first duly sworn, depose and say that I am secretary-treasurer of the Burlington Hawk-Eye Company, publisher of the Burlington Hawk-Eye, a daily paper printed and published in Burlington, county of Des Moines, state of Iowa, and that the notice of a proposed bill for legalizing the proceedings of the board of supervisors of Des Moines county, Iowa, and the city council of the city of Burlington, Iowa, was

published correctly in the issues of the Burlington Hawk-Eye of March 20, 1923, and that the first publication was made on the 20th day of March, 1923.

C. M. WAITE, *Secretary-Treasurer*.

Subscribed and sworn to before me by C. M. Waite this 20th day of March, 1923.

(SEAL)

KATE MADDEN, *Notary Public*.

The Journal of March 24th was corrected and approved.

On motion of Senator Gilchrist the Senate adjourned until 9:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 27, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. H. K. Hawley, pastor of the Congregational church of Ames, Iowa.

On motion of Senator Darting rule 33 was suspended for the day.

INTRODUCTION OF BILLS

Senate File No. 702, by committee on conservation, a bill for an act to amend, revise and codify sections eleven hundred seventy-seven (1177), eleven hundred eighty-four (1184), of the compiled code, and sections eleven hundred seventy-seven-a1 (1177-a1), eleven hundred seventy-seven-a2 (1177-a2), and eleven hundred eighty-two-a1 (1182-a1) of the supplement to the compiled code, relating to a state board of conservation, providing for its powers and duties and defining its jurisdiction; providing for supervisory power in the executive council.

Read first and second times and placed on the calendar.

REPORTS OF COMMITTEES

Senator Fulton submitted the following report:

MR. PRESIDENT: Your committee on banks to whom was referred Senate File No. 629, a bill for an act to repeal chapter three hundred fifty-seven (357) of the acts of the Thirty-seventh General Assembly (C. C. 5769), relating to the minimum capital required for the organization of new savings banks, but not to affect savings banks at this time organized nor their renewal of charters, and to require surplus account, beg leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking from line seven (7) section two (2) the word and figures "ten (10)" and inserting in lieu thereof the word and figure (8)".

C. J. FULTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks to whom was referred House File No. 576 a bill for an act making it unlawful for officers of counties, cities, towns, townships and school corporations to sell bonds issued by such county, city, town, township or school corporation for less than par or to pay any commission for the sale of the same and providing a penalty for its violation, beg leave to report it has had the same under consideration and recommends the same be amended, and when so amended the bill do pass:

Amend by striking out the comma (,) in line eight (8) following the word "Sale" and substitute a period (.). Also strike out all after the comma in line eight (8), section 1, as follows: "or in procuring an option as to the validity of such bonds which option shall not cost to exceed three hundred dollars (\$300.00)".

C. J. FULTON, *Chairman*.

Ordered passed on file.

Senator Campbell submitted the following report:

MR. PRESIDENT: Your committee on telegraph and telephone to which was referred Senate File No. 429, 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 commissioners 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, begs leave to report it has had the same under consideration and recommends the same do pass.

ED. H. CAMPBELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on telegraph and telephone to which was referred Senate File No. 436, a bill for an act to provide for the supervision and regulation of the service and rates of telephone companies, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ED. H. CAMPBELL, *Chairman*.

On the question, "Shall the report of the committee be adopted?" the vote was:

Ayes, 12.

Abben
Adam
Banta

Dutcher
Fulton
Goodwin

Holdoegel
Mantz
Newberry

Perkins
Scott
Wichman

Nays, 20.

Brookins	Darting	Price	Smith
Browne	Gilchrist	Romkey	Snook
Buser	Johnston	Shane	Stoddard
Caldwell	McIntosh	Shinn	Thurston
Campbell	Nelson	Slosson	Tuck

Absent or not voting, 17.

Baird	Ethell	Horchem	Reed
Bergman	Hale	Kimberly	Rees
Bowman	Hartman	Mead	Shaff
Brookhart	Haskell	Olson	White
Cessna			

The report was rejected and the bill ordered placed on the calendar.

Senator Nelson submitted the following report:

MR. PRESIDENT: Your committee on dairy and food to which was referred Senate File No. 643, a bill for an act to provide for the licensing of certain dealers in fruits and vegetables, to regulate such business and to place the enforcement of the act under the supervision of the dairy and food commissioner, begs leave to report it has had the same under consideration and recommends the same do pass.

J. A. NELSON, *Chairman*.

Ordered passed on file.

Senator Newberry submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 475, a bill for an act to create a text book board and committee for the purpose of preparing for use in the public schools of the state a uniform system of text books, registers, records, and school apparatus, to regulate the sale of school books and school supplies, to define the duty of bidders and certain officers in carrying out the provisions of this act and to provide penalties for violation thereof, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

BYRON W. NEWBERRY, *Chairman*.

Senator Price moved that Senate File 475 be rereferred to the committee on public schools with instructions to return in five days with a substitute providing for either a compulsory county uniform textbook law or a compulsory state uniform textbook law, which motion prevailed.

By unanimous consent Senator Brookins withdrew Senate File No. 459 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. 769, a bill for an act to legalize certain ordinances of the city of Davenport, Scott county, Iowa, providing for the issuance of corporate bonds and for taxes to pay the principal and interest thereof.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 729, a bill for an act to legalize an election in the consolidated independent school district of Carson, in the county of Pottawattamie, state of Iowa, on the proposition of issuing bonds and to legalize all acts and proceedings of the board of directors in respect of the issuance and sale of said bonds.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 637, a bill for an act to legalize the acts and proceedings in relation to drainage district number twenty-six (26), Polk county, Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 638, a bill for an act to legalize the acts and proceedings in relation to drainage district number 29, Polk county, Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 582, a bill for an act to provide for the issuance of city hall bonds in certain cities, and to authorize a tax levy to pay said bonds and interest thereon, being an act amendatory of sections seven hundred forty-one-d (741-d) to seven hundred forty-one-h (741-h), inclusive, of the supplemental supplement to the code, 1915, as amended by chapter one hundred eighty-two (182), acts Thirty-seventh (37) General Assembly.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 601, a bill for an act to amend chapter two hundred thirty-seven (237) of the acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly, relating to the improvement and assessment of the costs therefor, of roads comprising the primary and secondary road systems.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 662, a bill for an act to amend section six hundred ninety-four-b (694-b), supplement to the code, 1913, (C. C. 3663), relating to payment of dues in the league of Iowa municipalities.

Also 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 twenty-eight hundred four-b (2804-b), supplement to the code, 1913 (C. C. 2628), relating to services for raising the flag at schoolhouses.

Also that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 437, a bill for an act to amend section thirty-five (35), chapter two hundred thirty-seven (237) laws of the Thirty-eighth (38th) General Assembly (C. C. 2943) as amended by chapter fifty-six (56), laws of the Thirty-ninth (39th) General Assembly, relating to the construction, improvement and maintenance of highways within towns on the primary road system.

Also that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 723, a bill for an act to amend section eighteen hundred seventy-three (1873), supplement to the code, 1913 (C. C. 5801), relating to the publication of statement of condition of banks.

Also 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 to amend section two (2), chapter two hundred thirty (230), acts of the Thirty-ninth General Assembly, relating to paving extension of primary roads within cities.

Also, that the house has passed the following bill in which the concurrence of the House was asked:

Senate File No. 414, a bill for an act to amend section two thousand five hundred fifty-one (2551) supplemental supplement to the code, 1915 (C. C. 1124), relating to the use of artificial ambushes.

Also, that the house has passed the following bill in which the concurrence of the House was asked:

Senate File No. 421, a bill for an act to legalize certain elections, ordinances and acts of the town of Grand River, Decatur county, Iowa.

Also, that the house has passed the following bill in which the concurrence of the House was asked:

Senate File No. 624, a bill for an act to legalize one hundred twenty-five thousand dollars (\$125,000.00) courthouse bonds of Calhoun county, Iowa, and to authorize the issuance of one hundred twenty-five thousand (\$125,000.00) dollars refunding bonds of said county for the purpose of refunding said courthouse bonds.

Also, that the house has passed the following bill in which the concurrence of the House was asked:

Senate File No. 428, a bill for an act to repeal chapter forty-six (46) of the laws of the Thirty-eighth (38th) General Assembly, relating to a tax levy for park improvement purposes, and to enact a substitute therefor.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 427, a bill for an act to repeal section eight hundred fifty-p (850-p) supplemental supplement to the code, nineteen hundred fifteen (1915), (C. C. sec. 3684), as amended by chapter fifty-eight (58) of the laws of the Thirty-eighth (38th) General Assembly and by chapter twenty-six (26) of the laws of the Thirty-ninth General Assembly, relating to tax levy for park purposes for the improvement of lakes by dredging or otherwise deepening the same, constructing dikes and levees and chang-

ing the form and size thereof, improving such lakes and park lands surrounding the same and for other purposes and adopting a substitute therefor.

Also, that the House has adopted the conference committee report and passed Senate File No. 225, a bill for an act to amend, revise and codify sections six thousand nine hundred seventy-two (6972), six thousand nine hundred eighty (6980), and six thousand nine hundred eighty-two (6982) of the compiled code of Iowa, relating to the clerk of the district court, with the amendments as proposed by the conference committee.

Also, that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Concurrent resolution relative to a joint convention to be held upon the occasion of the visit of the legislative committee of the state of Alabama.

A. C. GUSTAFSON, *Chief Clerk.*

BILLS SENT TO THE GOVERNOR

Senator Gilchrist from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports it has on this 27th day of March, 1923, sent to the Governor for his approval, Senate Files Nos. 59, 305, 397 and 419.

F. C. GILCHRIST, *Chairman.*

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files 334, 354, 399, 438, 516, 489.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETIS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate House Files Nos. 334, 354, 399, 438, 489 and 516.

THIRD READING OF BILLS

On motion of Senator Gilchrist Senate File No. 570, a bill for an act to amend section ten hundred eighty-seven-a twenty-five (1087-a25) and section ten hundred eighty-seven-a twenty-seven

(1087-a27) of the supplement to the code, 1913, and to provide for representation by both men and women on the central committee of political parties, was taken up and considered, the report of the committee recommending indefinite postponement having been rejected.

Senator Shane offered the following amendment and moved its adoption:

Amend by striking out all of section 1 and renumbering section 2 as section 1.

Senator Shane raised the point of order that he had closed the debate on the amendment and therefore no other Senator could discuss it.

The President held the point well taken.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 12.

Bergman	Hartman	Mead	Shaff
Ethell	Haskell	Nelson	Shane
Fulton	Mantz	Price	White

Nays, 32.

Abben	Caldwell	Horchem	Rees
Baird	Campbell	Johnston	Romkey
Banta	Cessna	Kimberly	Shinn
Bowman	Darting	McIntosh	Slosson
Brookhart	Dutcher	Newberry	Smith
Brookins	Gilchrist	Olson	Thurston
Browne	Goodwin	Perkins	Tuck
Buser	Holdoegel	Reed	Wichman

Absent or not voting, 5.

Adams	Scott	Snook	Stoddard
Hale			

The amendment was lost.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Abben	Brookins	Darting	Haskell
Adams	Browne	Dutcher	Holdoegel
Baird	Buser	Ethell	Horchem
Banta	Caldwell	Gilchrist	Johnston
Bowman	Campbell	Goodwin	Kimberly
Brookhart	Cessna	Hartman	McIntosh

Mantz
Newberry
Olson
Perkins

Reed
Rees
Romkey
Shinn

Slosson
Smith
Snook
Thurston

Tuck
Wichman

Nays, 7.

Bergman
Fulton

Mead
Nelson

Price
Shane

White

Absent or not voting, 4.

Hale

Scott

Shaft

Stoddard

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

Senator Gilchrist moved that the vote by which the bill passed the Senate reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Caldwell, Senate File No. 395, a bill for an act to make an appropriation for the purpose of indemnifying John Young and Retta Young for damages sustained by them by reason of the death of their son, Merle J. Young, who was killed in the line of service while on duty with the Iowa national guard, 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 "seventy-five hundred dollars (\$7,500.00)" appearing in lines one (1) and two (2), section one (1), and inserting in lieu thereof the words and figures "three thousand dollars (\$3,000.00)".

Senator Caldwell moved that the rules be suspended, the bill be read a third time now, and placed on its passage, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 44.

Abben
Adams
Baird
Bergman
Bowman
Brookhart
Brookins
Buser
Caldwell
Campbell
Cessna

Darting
Dutcher
Ethell
Fulton
Gilchrist
Goodwin
Hartman
Haskell
Holdoegel
Horchem
Johnston

Kimberly
McIntosh
Mantz
Mead
Nelson
Newberry
Olson
Perkins
Price
Reed
Rees

Romkey
Scott
Shane
Shinn
Slosson
Smith
Snook
Thurston
Tuck
White
Wichman

Nays, none.

Absent or not voting, 5.

Banta
Browne

Hale

Shaff

Stoddard

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

Senator Caldwell moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Goodwin, House File No. 285, a bill for an act to repeal sections twenty-one hundred twenty-six (2126) of the code (C. C. 5177), twenty-one hundred forty-six (2146) of the code (C. C. 5201), twenty-one hundred forty-five (2145) supplement to the code, 1913, (C. C. 5200) relating to the powers and duties of the board of railroad commissioners, and the regulation of carriers, was taken up and considered, the report of the committee having been previously adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by adding at the end of and as a part of section 3 the following: "But in no case shall a greater rate be charged or collected for transporting a single car of freight than at the same time is charged and collected per car for several cars of like class of freight over the same railway for the same distance."

Senator Price offered the following amendments to the amendment and moved their adoption:

Amend by striking out the word "freight" where it appears in both places in the amendment and inserting in lieu thereof the word "property".

Also amend by adding the words "and under like conditions" at the end thereof.

The amendments to the amendment were adopted.

The amendment was lost.

Senator Fulton offered the following amendment and moved its adoption:

Amend by inserting the words "or less" after the word "more" in line 5 of section 1.

The amendment was lost.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking out the second paragraph of section 1 and substituting the following: "A common carrier, subject to the provisions of this chapter, shall, for the transportation of persons or property to or from any point on its railroad, charge only a fair and just rate or charge."

The amendment was lost.

Senator Price moved that the Senate reconsider the vote by which the amendment, inserting the word "new" between the words "any" and "industry" in line 12 of section 3, was adopted March 22d.

Senator Brookhart raised the point of order that the second legislative day had passed, and a motion to reconsider could not be considered.

The President held the point of order well taken.

Senator Dutcher moved that the rules be suspended, so that the Senate could reconsider this matter.

Senator Price raised the point of order that the adoption of this amendment would not be legal, as it took a roll call on Senate amendments to House bills.

The President held the point not well taken, as it is not necessary to have a roll call either under the code or the rules.

Senator Price invoked rule 8.

On the question "Shall the rules be suspended?" the vote was:

Ayes, 39.

Abben	Cessna	Mantz	Shaff
Adams	Darting	Mead	Shane
Baird	Dutcher	Newberry	Slosson
Banta	Ethell	Olson	Smith
Bergman	Gilchrist	Perkins	Snook
Bowman	Goodwin	Price	Stoddard
Brookins	Hartman	Reed	Thurston
Browne	Haskell	Rees	White
Caldwell	Holdoegel	Romkey	Wichman
Campbell	Horchem	Scott	

Nays, 9.

Brookhart	Johnston	McIntosh	Shinn
Buser	Kimberly	Nelson	Tuck
Fulton			

Absent or not voting, 1.

Hale

The motion prevailed and the rules were suspended.

Senator Price renewed his motion that the Senate reconsider the vote by which this amendment was adopted.

Senator Brookhart raised the point of order that this matter had already been acted on.

The President held the point not well taken, as the rules had been suspended.

The motion prevailed.

The amendment was lost.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

PETITIONS AND MEMORIALS

Senator Holdoegel presented a petition from citizens of Dayton protesting the proposed tax on cigars and tobacco. Referred to the committee on ways and means.

HOUSE MESSAGES CONSIDERED

House File No. 769, a bill for an act to legalize certain ordinances of the city of Davenport, Scott county, Iowa, providing for the issuance of corporate bonds and for taxes to pay the principal and interest thereof.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 729, a bill for an act to legalize an election in the consolidated independent school district of Carson, in the county of Pottawattamie, state of Iowa, on the proposition of issuing bonds and to legalize all acts and proceedings of the board of directors in respect of the issuance and sale of said bonds.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 637, a bill for an act to legalize the acts and proceedings in relation to drainage district number twenty-six (26), Polk county, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 638, a bill for an act to legalize the acts and proceedings in relation to drainage district number 29, Polk county, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 582, a bill for an act to provide for the issuance of city hall bonds in certain cities, and to authorize a tax levy to pay said bonds and interest thereon, being an act amendatory of sections seven hundred forty-one-d (741-d) to seven hundred forty-one-h (741-h), inclusive, of the supplemental supplement to the code, 1915, as amended by chapter one hundred eighty-two (182), acts Thirty-seventh (37) General Assembly.

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

House File No. 601, a bill for an act to amend chapter two hundred thirty-seven (237) of the acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly, relating to the improvement and assessment of the costs therefor, of roads comprising the primary and secondary road systems.

Read first and second times and referred to committee on highways.

House File No. 662, a bill for an act to amend section six hundred ninety-four-b (694-b), supplement to the code, 1913, (C. C. 3663), relating to payment of dues in the league of Iowa municipalities.

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

House File No. 295, a bill for an act to amend section twenty-eight hundred four-b (2804-b), supplement to the code, 1913, (C. C. 2628) relating to services for raising the flag at school houses.

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

House File No. 437, a bill for an act to amend section thirty-five (35), chapter two hundred thirty-seven (237), laws of the Thirty-eighth (38th) General Assembly (C. C. 2943), as amended by chapter fifty-six (56), laws of the Thirty-ninth (39th) General As-

sembly, relating to the construction, improvement and maintenance of highways within towns on the primary road system.

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

House File No. 723, a bill for an act to amend section eighteen hundred seventy-three (1873), supplement to the code, 1913, (C. C. 5801), relating to the publication of statement of condition of banks.

Read first and second times and referred to committee on banks.

House File No. 533, a bill for an act to amend section two (2), chapter two hundred thirty (230), acts of the Thirty-ninth General Assembly, relating to paving extension of primary roads within cities.

Read first and second times and referred to committee on highways.

REPORTS OF COMMITTEES

Senator Scott submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 479, a bill for an act amending section seventeen hundred seventy-nine (1779) of the code, (C. C. 5488) relating to life insurance, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

First: By striking out the period (.) following the word "withdrawn" in line eleven (11) of section one (1) and substituting a comma (,) therefor, and by adding the following: "provided, however, that no such change of a security shall be made if the same has been purchased from any officer, stockholder, agent or employe of the insurer";

Second: By striking out the period following the word "company", in line twenty (20) of section one (1) and substituting a comma therefor, and by adding the following: "provided that, in no event, shall the certificate issued thereunder be accepted for more than the amount bid at the execution sale";

Third: After the period (.) in line twenty-nine (29) insert the following:

"Provided that the total amount of certificates of sale and deeds deposited as herein provided shall not exceed five (5) per cent of the amount any such company is required by law to maintain on deposit with the insurance department and all deeds shall be withdrawn within three years from the date of this deposit.

Fourth. By adding after the word "that" in line six (6) the words, "by permission of the Insurance Commissioner".

R. P. SCOTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to whom was referred Senate File No. 695, a bill for an act to amend section eighteen hundred thirty-nine-b (1839-b) (C. C. 5573) supplement to the code, 1913, as amended by section twelve (12) of chapter three hundred forty-eight (348) acts of the Thirty-eighth (38th) General Assembly and section eighteen (18) of chapter two hundred nine (209) acts of the Thirty-ninth (39th) General Assembly relating to the examination and inquiry into the affairs of fraternal beneficiary societies, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

R. P. SCOTT, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on insurance to whom was referred Senate File No. 607, a bill for an act to amend section seventeen hundred forty-two-a (1742-a) (C. C. 5658) supplement to the code, 1913; and section seventeen hundred forty-four (1744) (C. C. 5660) of the code as amended by section five (5), chapter three hundred forty-eight (348) acts of the Thirty-eighth (38th) General Assembly, relating to insurance other than life, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

R. P. SCOTT, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 327, a bill for an act to amend section ten hundred and three (1003) supplement to the code, 1913 (C. C. 4421) relating to tax levies in cities operating under special charter, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 665, a bill for an act granting to any city or town, including cities acting under the commission plan of government and special charter cities, the power to appoint a zoning commission and to prescribe its duties; to divide the city or town into districts with respect to the development and uses of the property therein; and to adopt uniform rules for such property which may affect the general welfare; to provide for the appointment of a board of adjustment and to prescribe its duties; to institute appropriate action or proceedings in case of violation of this act or of any ordinance or other regulation made under authority conferred thereby, begs leave to report it had had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 637, a bill for an act to extend the provisions of section thirteen hundred six-b (1306-b) of the supplement to the code, 1913, as amended (C. C. 4054) so as to apply to special charter cities, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 646, a bill for an act to amend section one (1) chapter one hundred and seventy-two (172) laws of the Thirty-seventh General Assembly (C. C. 3923) relating to the improvement by oiling of streets and alleys and parts thereof in cities and towns and the taxing of the cost to property benefited, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 160, a bill for an act to amend, revise and codify sections three thousand six hundred eighty-seven (3687) three thousand seven hundred (3700) and three thousand seven hundred three (3703) of the compiled code of Iowa, relating to municipal corporations, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 363, a bill for an act to amend chapter three hundred sixteen (316), acts of the Thirty-eighth General Assembly, relating to the granting of additional powers to cities and municipalities; and to the board of health in cities and municipalities in regard to the removal of outside water-closets, privies and privy vaults, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

W. G. HASKELL, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 690, a bill for an act to amend the law as it

appears in section one (1) of chapter one hundred seventy-two (172), acts of the Thirty-seventh General Assembly (C. C. 3923 and 4395), relating to the oiling of streets and alleys by cities and towns, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

W. G. HASSELL, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Senator Rees submitted the following report:

MR. PRESIDENT: Your committee on land titles to which was referred House File No. 78, a bill for an act to amend and codify chapter three (3) of title twenty-three (23) of the compiled code of Iowa, relating to occupying claimants, begs leave to report it has had the same under consideration and recommends the same do pass.

S. C. REES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on land titles to which was referred House File No. 2, a bill for an act to amend, revise, and codify sections four (4) to eight (8), inclusive, and forty-nine hundred sixty-two (4962) of the compiled code of Iowa, relating to the acquisition by the United States of lands in this state, begs leave to report it has had the same under consideration and recommends the same do pass.

S. C. REES, *Chairman*.

Ordered passed on file.

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred joint resolution No. 4 proposing an amendment to sections two (2), three (3), five (5) and six (6) of article one (1) of the constitution of the State of Iowa relating to the holding of sessions of the General Assembly and the election of members to the General Assembly, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. W. REED, *Chairman*.

The report was adopted and the bill indefinitely postponed.

By unanimous consent Senator Johnston withdrew Senate File No. 287 from further consideration.

On request of Senator Adams Senate File No. 330 was ordered returned by the committee on judiciary No. 1 and placed on the calendar.

HOUSE AMENDMENTS CONSIDERED

Senator Baird called up for consideration Senate File No. 427,

amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File No. 427 by adding after the period following the word section and figure one, the following:

"That section eight hundred fifty-p (850-p), supplemental supplement to the code, 1915 (C. C. sec. 3684), as amended by chapter fifty-eight (58) of the laws of the Thirty-eighth General Assembly, and by chapter twenty-six (26) of the laws of the Thirty-ninth General Assembly, be repealed, and the following enacted in lieu thereof:".

On the question "Shall the Senate concur?" the vote was:

Ayes, 32.

Baird	Campbell	Nelson	Shaff
Banta	Darting	Newberry	Shane
Bergman	Ethell	Olson	Shinn
Bowman	Fulton	Perkins	Snook
Brookhart	Hartman	Price	White
Brookins	Haskell	Reed	Wichman
Buser	Horchem	Rees	
Caldwell	Kimberly	Romkey	
	McIntosh	Scott	

Nays, none.

Absent or not voting, 17.

Abben	Dutcher	Holdoegel	Slosson
Adams	Gilchrist	Johnston	Smith
Browne	Goodwin	Mantz	Stoddard
Cessna	Hale	Mead	Thurston
			Tuck

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

INTRODUCTION OF BILLS

Senate File No. 703, by committee on judiciary No. 1, a bill for an act relating to the sale of bonds of the state of Iowa; providing that before any contract for the sale of bonds shall be consummated it must be approved by the executive council.

Read first and second times and placed on the calendar.

Senate File No. 704, by committee on claims, a bill for an act making appropriation to pay claim of The Clinton Advertiser amounting to \$8.95 against the state.

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

Senate File No. 705, by committee on claims, a bill for an act

making appropriation to pay claim of R. F. Wolfe in the sum of seventeen dollars and twenty cents (\$17.20) against the state.

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

Senate File No. 706, by committee on claims, a bill for an act making appropriation to pay the claim of the Globe Machinery & Supply Company in the sum of thirteen dollars and twenty-seven cents (\$13.27) against the state.

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

Senate File No. 707, by committee on claims, a bill for an act making appropriation to pay claim of \$68.74 out of the fish and game protection fund in full payment of the claim of G. M. Roggensack for services rendered the state under the direction of the fish and game department during the years 1917, 1918 and 1920.

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

Senate File No. 708, by committee on claims, a bill for an act making appropriation to pay the claim of Koch brothers amounting to ninety-three dollars and thirty-nine cents (\$93.39) out of the fund of the board of engineering examiners for supplies furnished for the use of the board of engineering examiners.

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

Senate File No. 709, by committee on claims, a bill for an act making appropriation to pay claim of McNamara Office Supply Company in the sum of thirty-two dollars and twenty-five cents (\$32.25) against the state.

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

BERRY MEMORIAL RESOLUTION

Senator Thurston offered the following resolution:

Whereas, The Honorable W. H. Berry, a former member of the Senate in the Twenty-sixth and Twenty-seventh General Assemblies, died at his home in Indianola on March 25, 1923, therefore

Be It Resolved, That a committee of three be appointed to draft suitable resolutions to commemorate his life and his services to the state.

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

The President appointed as such committee Senators Thurston, White and Brookhart.

THIRD READING OF BILLS

The Senate resumed consideration of House File No. 285.

Senator Adams moved the previous question, which motion prevailed and the previous question was ordered.

The bill was read for information.

Senator Goodwin moved that 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	Darting	Mantz	Shane
Baird	Dutcher	Mead	Smith
Banta	Goodwin	Newberry	Snook
Bergman	Hartman	Olson	Stoddard
Bowman	Haskell	Perkins	Thurston
Brookins	Holdoegel	Price	White
Caldwell	Horchem	Romkey	Wichman
Campbell	Kimberly	Scott	
Cessna	McIntosh	Shaff	

Nays, 9.

Brookhart	Fulton	Rees	Slosson
Browne	Johnston	Shinn	Tuck
Buser			

Absent or not voting, 6.

Abben	Gilchrist	Nelson	Reed
Ethell	Hale		

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

Senator Goodwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent Senator Goodwin withdrew Senate File No. 295 from further consideration.

On motion of Senator Mead, Senate File No. 453, a bill for an act to make an appropriation for the completion of the hospital plant of the college of medicine of the state university of Iowa

and for the equipping of the same, under direction of the state board of education, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

CALL OF THE SENATE

MR. PRESIDENT: We the undersigned request a call of the Senate on Senate File No. 453.

Chas. S. Browne.	J. C. Tuck.
T. C. Cessna.	J. L. Brookhart.
G. S. Hartman.	Jas. F. Johnston.
H. C. Adams.	E. W. Romkey.
C. J. Fulton	J. A. McIntosh.
John J. Ethell.	A. J. Shinn.
S. C. Rees.	J. D. Buser
Jno. R. Price.	J. A. Nelson.

The roll was called and the following were found to be present:

Adams	Darting	McIntosh	Shaff
Baird	Dutcher	Mantz	Shane
Banta	Ethell	Mead	Shinn
Bergman	Fulton	Nelson	Slosson
Bowman	Gilchrist	Newberry	Smith
Brookhart	Goodwin	Olson	Snook
Brookins	Hartman	Perkins	Stoddard
Browne	Haskell	Price	Thurston
Buser	Holdoegel	Reed	Tuck
Caldwell	Horchem	Rees	White
Campbell	Johnston	Romkey	Wichman
Cessna	Kimberly	Scott	

On motion of Senator Price Senator Hale was excused from the call of the Senate.

On motion of Senator Price Senator Abben was excused from the call of the Senate.

Senator Price raised the point of order that no appropriation bill not reported back by March 21st can be placed upon its passage until Rule 20-A is suspended.

The President held the point not well taken.

Senator Holdoegel raised the point of order that this bill was taken up by unanimous consent and if there were any objections they should have been made at that time.

The President held the point not well taken as unanimous consent was not asked for.

Senator Price raised the point of order that the bill cannot pass to its third reading under the rules until Rule 20-A is suspended.

The President held the point not well taken and said: "The object of the rules is to facilitate legislation rather than to hinder it."

Senator Price moved that the call of the Senate be raised, which motion was lost.

Senator Buser offered the following amendments and moved their adoption:

Amend Senate File No. 453 as follows:

By inserting following the word "appropriation" in line one (1) of the title the following: "to be paid from the moneys derived by the state from the motor vehicle fund,"; also, by changing the period (.) following the word "education" at the end of the title to a comma (,) and by adding to said title following said comma (,) the following: "and to amend section four (4) of chapter two hundred thirty-seven (237) of the acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly (C. C. section 2912)."

Also, that section one (1) of said bill be amended by striking from lines one and two (1 and 2) of said section the following: "out of any money in the state treasury not otherwise appropriated," and by substituting in lieu thereof the following: "out of the funds derived by the state under the acts regulatory over motor vehicles,".

Also, that the bill be further amended by inserting immediately following section four (4) of said bill the following:

"Section 5. That the law as it appears in section four (4), of chapter two hundred thirty-seven (237) of the acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly (C. C. section 2912) be and the same is hereby amended by changing the period (.) following the word "department" in line eleven (11) of said section to a comma (,) and inserting thereafter the following: "and except such portion as may be retained in the state treasury for the use and benefit of the college of medicine of the State University of Iowa as provided by law."

Also, that the bill be further amended by changing the figure "5" in line one (1) of section 5 of the bill as published to the figure "6".

On the question "Shall the amendments be adopted?" the vote was:

Ayes, 18.

Brookhart	Ethell	Nelson	Shinn
Brookins	Fulton	Price	Snook
Browne	Hartman	Rees	Tuck
Buser	Johnston	Romkey	
Cessna	McIntosh	Shane	

Nays, 29.

Adams	Dutcher	Mead	Smith
Baird	Gilchrist	Newberry	Stoddard
Banta	Goodwin	Olson	Thurston
Bergman	Haskell	Perkins	White
Bowman	Holdoegel	Reed	Wichman
Caldwell	Horchem	Scott	
Campbell	Kimberly	Shaff	
Darting	Mantz	Slosson	

Absent or not voting, 2.

Abben Hale

The amendments were lost.

Senator Abben appeared in the Senate chamber.

Senator Thurston moved that further action on Senate File No. 453 be deferred until the committee on appropriations has laid before the Senate the askings in support of institutions under the board of control and board of education.

Senator Price raised the point of order that the matter under consideration was the motion to defer action and not the main question.

The President held that there was a great deal of latitude allowed in this discussion.

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

Ayes, 22.

Bergman	Cessna	Nelson	Slosson
Brookhart	Ethell	Price	Snook
Brookings	Fulton	Rees	Thurston
Browne	Hartman	Romkey	Tuck
Buser	Johnston	Shane	
Campbell	McIntosh	Shinn	

Nays, 26.

Abben	Dutcher	Mantz	Shaff
Adams	Gilchrist	Mead	Smith
Baird	Goodwin	Newberry	Stoddard
Banta	Haskell	Olson	White
Bowman	Holdoege	Perkins	Wichman
Caldwell	Horchem	Reed	
Darting	Kimberly	Scott	

Absent or not voting, 1.

Hale

The motion was lost.

Senator Shaff moved the previous question, which motion prevailed and the previous question was ordered.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 33.

Abben	Darting	Mantz	Shane
Adams	Dutcher	Mead	Slosson
Baird	Gilchrist	Newberry	Smith
Banta	Goodwin	Olson	Stoddard
Bergman	Hartman	Perkins	White
Bowman	Haskell	Reed	Wichman
Buser	Holdoege	Rees	
Caldwell	Horchem	Scott	
Campbell	Kimberly	Shaff	

Nays, 15.

Brookhart
Brookins
Browne
Cessna

Ethell
Fulton
Johnston
McIntosh

Nelson
Price
Romkey
Shinn

Snook
Thurston
Tuck

Absent or not voting, 1.

Hale

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

Senator Dutcher moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

Senator McIntosh asked for a division.

The motion to lay on the table prevailed.

REPORTS OF COMMITTEE

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 430, 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 (C. C. 5334), beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 391, a bill for an act to prohibit nepotism within this state, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 468, a bill for an act to amend section three thousand three hundred four (3304) of the code (C. C. 7826), relating to notice of appointment of executors and administrators, and legalizing notice of appointment given prior to January 1, 1920, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, Chairman.

Ordered passed on file.

The Journal of March 26th was corrected and approved.

On motion of Senator Buser the Senate adjourned until 9 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 28, 1923.

The Senate met in regular session, President John Hamnuill presiding.

Prayer was offered by Rev. V. J. Andrew, pastor of the M. E. church of Garden Grove, Iowa.

On motion of Senator Price rule 33 was suspended.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Reed for the day, on request of Senator Gilchrist.

PETITIONS AND MEMORIALS

Petitions from the Modern Woodmen protesting House File No. 544 were presented by Senator Wichman from Camps 320, Clear Lake; 709, Mason City, and 767, Garner, and by Senator Hale from Camp 183, Wyoming. Referred to the committee on insurance.

Petitions from the Modern Brotherhood of America endorsing House File No. 544 were presented by Senator Wichman from Lodge 136, Clear Lake, and 208, Chapin. Referred to committee on insurance.

CONCURRENT RESOLUTION

Senator Stoddard offered the following resolution:

Be It Resolved by the Senate, the House concurring. That all claims for one hundred dollars (\$100.00) or less which have been approved by the committee on claims of both houses and the appropriations committee of both houses shall be held by the chairman of the committee, and the said amounts put in the omnibus bill.

By unanimous consent the resolution was taken up and considered.

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

Ayes, 28.

Adams	Caldwell	Haskell	Smith
Baird	Cessna	Kimberly	Snook
Banta	Dutcher	Newberry	Stoddard
Bergman	Ethell	Scott	Thurston
Bowman	Fulton	Shane	Tuck
Browne	Goodwin	Shinn	White
Buser	Hale	Slosson	Wichman

Nays, none.

Absent or not voting, 21.

Abben	Hartman	Mead	Reed
Brookhart	Holdoegel	Nelson	Rees
Brookins	Horchem	Olson	Romkey
Campbell	Johnston	Perkins	Shaff
Darting	McIntosh	Price	
Gilchrist	Mantz		

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. 743, a bill for an act to amend chapter three hundred nine (309) acts of the Thirty-ninth General Assembly, in regard to the annual appropriation of funds to enable the state railroad commission to investigate and prosecute state cases and to investigate and determine all cases within its jurisdiction.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 571, a bill for an act to make an appropriation to reimburse Mercy hospital of Cedar Rapids, Iowa, Doctors Murphy, Neuzil and Victorine, W. H. Cleary and C. A. Suits, for services rendered and expenses incurred under the direction of the state board of parole in the care of one Clifford I. Berry, a paroled convict.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 492, a bill for an act providing for the completion of the roster of Iowa soldiers, sailors and marines as provided for by chapter three hundred and thirty-one (331) laws of the Thirty-eighth General Assembly, and making an additional appropriation therefor.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 520, a bill for an act to amend section five (5), chapter three hundred nine (309), acts of the Thirty-seventh General Assembly (C. C. 1283), relating to the compensation of the board of dental examiners.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 645, a bill for an act repealing the law as it appears in section two thousand five hundred forty-six (2546), supplement to the code, 1913, (C. C. 1114) relating to the powers of the state fish and game warden, providing that the warden may enter into contracts with persons, firms or corporations for the removal and sale of certain fish from the waters of this state and providing for the disposition of all funds derived therefrom.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 629, a bill for an act relating to the pollution of the waters of any stream, waterway or lake of this state, providing penalties for violation thereof, and providing for the issuance of a writ of injunction to prohibit the same.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 395, a bill for an act providing for wash houses at coal mines.

Also, that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 388, a bill for an act to repeal chapter two hundred eighteen (218), (S. C. C. 39-a1, 39-a2, 39-a3, 39-a4, 39-a5, 39-a6), acts of the Thirty-ninth (39th) General Assembly and sections one hundred eighty-two (182) and one hundred eighty-three (183) of the code, 1897, (C. C. 40, 41) relating to the retrenchment and reform committee, and to vest certain authority exercised by this committee in the executive council.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 308, a bill for an act to amend section one (1) of chapter two hundred thirty (230) of the acts of the Thirty-ninth General Assembly, (C. C. sup. sec. 3922-a1), relating to the payment of cost of paving extensions of primary roads within cities and to extend the provisions thereof to include other cities.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 528, a bill for an act relating to playground maintenance fund in cities and to govern the use of said fund.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 606, a bill for an act to amend section two thousand four hundred sixty-one-a (2461-a) of the supplemental supplement to the code of Iowa, 1915, (C. C. 1019), relating to the sale of intoxicating liquors.

Also, 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 making section one thousand fifty-three (1053) of the code of 1897 applicable to cities organized under title V, chapter 14-D of the supplemental supplement to the code, 1915.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 595, a bill for an act to legalize the notice of incorporation of the Grundy Construction Company.

Also, that the House has concurred in Senate amendment to House File No. 460, a bill for an act to amend section twelve hundred fifty-eight-c (1258-c) of the supplement to the code, 1913, as amended by chapter three hundred ninety-one (391) of the acts of the Thirty-seventh General Assembly (C. C. sec. 649), relating to the removal of public officers and to extend the provisions thereof to include appointive officers.

Also, that the House has concurred in Senate amendment to House File No. 379, a bill for an act to amend chapter one hundred nine (109), acts of the Thirty-ninth General Assembly, relating to election of officials of cities under the commission form of government.

Also, that the House has concurred in Senate amendment to House File No. 408, a bill for an act to provide for the creation of a lien for advancements made by junior lien holders.

Also, that the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House concurrent resolution relative to adjournment, *sine die*.

Also, that the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House concurrent resolution providing for an inspection of the elevators in the Capitol building.

Also, that the House has concurred in Senate amendment to House File No. 375, a bill for an act to amend section two hundred fifty-four-a twenty-three (254-a23), supplement to code, 1913, (C. C. section 2103), relating to commitments to the training school for girls.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE MESSAGES CONSIDERED

House File No. 743, a bill for an act to amend chapter three hundred nine (309), acts of the Thirty-ninth General Assembly, in regard to the annual appropriation of funds to enable the state railroad commission to investigate and prosecute state cases and to investigate and determine all cases within its jurisdiction.

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

House File No. 571, a bill for an act to make an appropriation to reimburse Mercy Hospital of Cedar Rapids, Iowa, Doctors Murphy, Neuzil and Victorine, W. H. Cleary and C. A. Suits, for services rendered and expenses incurred under the direction of the state board of parole in the care of one Clifford I. Berry, a paroled convict.

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

House File No. 492, a bill for an act providing for the completion of the roster of Iowa soldiers, sailors and marines as provided for by chapter three hundred thirty-one (331) laws of the Thirty-eighth General Assembly, and making an additional appropriation therefor.

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

House File No. 645, a bill for an act repealing the law as it appears in section two thousand five hundred forty-six (2546), supplement to the code, 1913, (C. C. 1114) relating to the powers of the state fish and game warden, providing that the warden may enter into contracts with persons, firms or corporations for the removal and sale of certain fish from the waters of this state and providing for the disposition of all funds derived therefrom.

Read first and second times and referred to committee on fish and game.

House File No. 520, a bill for an act to amend section five (5), chapter three hundred nine (309) acts of the Thirty-seventh General Assembly (C. C. 1383), relating to the compensation of the board of dental examiners.

Read first and second times and referred to committee on public health.

House File No. 595, a bill for an act to legalize the notice of incorporation of the Grundy Construction Company.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 629, a bill for an act relating to the pollution of the waters of any stream, waterway or lake of this state, providing penalties for violation thereof, and providing for the issuance of a writ of injunction to prohibit the same.

Read first and second times and referred to committee on public health.

House File No. 395, a bill for an act providing for washhouses at coal mines.

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

REQUEST FOR COMMITTEE REPORT

MR. PRESIDENT: I request that the appropriations committee be re-

quested to report forthwith to the Senate all appropriation bills now in their possession under rule 20a.

JNO. R. PRICE.

The President ruled that the appropriations committee should report back to the Senate all appropriation bills in its possession on March 20, as provided in rule 20-a.

MEMBERS OF THE SENATE, GENTLEMEN: The President of the Senate has been called upon to rule as to the construction of rule 20-a and rule 31. The first rule relates to the commitment of appropriation bills and provides that all bills carrying appropriations or involving the expenditure of state funds shall be referred to the committee on appropriations, which committee shall report back to the Senate not later than March 20.

Rule 31 provides that when a bill is referred to a committee other than the appropriation committee, the chairman of said committee shall note thereon the date of its reference and it shall be the duty of such committee to report back all bills in its hands within fifteen days after the order of reference, unless a different time is granted by a vote of the Senate.

It is the opinion of the chair that the only construction that should be placed upon these rules is this: 1st, as to rule 20-a, all appropriation bills in the hands of the committee prior to March 20 must be reported back to the Senate not later than March 20 without any action on the part of the Senate. As to the construction to be placed upon rule 31, the chair is of the opinion that it is the duty of each committee other than the appropriation committee to report back all bills in its hands within fifteen days after reference without any action on the part of the Senate, unless a different time is granted by a vote of the Senate. Both of these rules direct the committees to report bills within a specified time.

The rules do not provide what consequences are entailed by a failure to report within the prescribed time. The chair, therefore, is of the opinion that the only construction that should be put upon rule 31 is this, that if a bill is held longer than fifteen days and is reported back it is before the Senate for consideration. The same construction should be placed upon rule 20-a. If a bill is not reported back by March 20, but is returned at a later date, it would be before the Senate for consideration just the same as though a report was made after the expiration of the fifteen days under rule 31.

Rules are made for the purpose of aiding legislation rather than for the purpose of destroying or hindering legislation. A report made by a committee after March 20 under rule 20-a would have the same force and effect and the same construction must be placed thereon as would be placed upon a report made under rule 31 after the expiration of fifteen days. To apply the interpretation and construction of rule 20-a, which has been insisted upon by some, that no bill providing for an appropriation could be considered unless reported by March 20th, would be equivalent to allowing a committee, by withholding a report on a bill for a period beyond the time for which a report is due thereon, to

prevent legislation upon that subject during the session of the legislature. It does not seem to the chair that the fair construction of these rules warrants any such conclusion.

Senator Price raised the point of order that there was nothing debatable before the Senate.

The President held the point well taken.

On motion of Senator Tuck House File No. 268 was ordered returned from the committee on highways and placed on the calendar.

REPORTS OF COMMITTEES

Senator Caldwell submitted the following report:

MR. PRESIDENT: Your committee on drainage to which was referred House File No. 291, a bill for an act to amend section nineteen hundred eighty-nine-a3 (1989-a3) supplement to the code, 1913, as amended by chapter one hundred thirty-eight (138), acts of the Thirty-eighth (38) General Assembly (C. C. 4838) relative to drainage, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

W. A. CALDWELL, *Chairman*.

Senator Shane moved the previous question, which motion prevailed, and the previous question was ordered.

The report was adopted and the bill indefinitely postponed.

Senator Scott submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 640, a bill for an act amending section seventeen hundred and ten (1710), supplement to the code, 1913, as amended by section five (5), chapter four hundred twenty-eight (428), laws of the Thirty-seventh General Assembly (37th G. A.), and section three (3), chapter three hundred forty-eight (348), laws of the Thirty-eighth General Assembly (38th G. A.), and section one (1), chapter two hundred sixty-one (261), laws of the Thirty-ninth General Assembly (39th G. A.) (S. C. C. 5628), relating to insurance other than life, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

R. P. SCOTT, *Chairman*.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes 21.

Abben
Adams
Bergman

Brookins
Darting
Ethell

Goodwin
Hale
Hartman

Horchem
Johnston
Kimberly

Mantz	Scott	Smith	Wichman
Mead	Shaff	White	
Perkins	Shane		

Nays, 15.

Baird	Caldwell	Holdoegel	Shinn
Banta	Cessna	Nelson	Stoddard
Browne	Dutcher	Newberry	Tuck
Buser	Gilchrist	Price	

Absent or not voting, 13.

Bowman	Fulton	Olson	Romkey
Brookhart	Haskell	Reed	Slosson
Campbell	McIntosh	Rees	Snook
			Thurston

The report of the committee was adopted and the bill indefinitely postponed.

Senator Smith submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File No. 380, a bill for an act to amend section 1614-c supplement to the code, 1913 (C. C. sec. 5338) and to enact a substitute therefor relating to an annual fee to be paid by corporations and providing for the payment by domestic and foreign corporations for profit of an annual franchise tax, defining organizations liable to the tax, and that the funds so collected shall go into the general fund of the state, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ED. M. SMITH, *Chairman*.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 27.

Abben	Campbell	Horchem	Shaff
Adams	Cessna	Kimberly	Shane
Baird	Goodwin	Mantz	Slosson
Banta	Hale	Mead	Smith
Bergman	Hartman	Olson	Stoddard
Bowman	Haskell	Perkins	Wichman
Brookins	Holdoegel	Scott	

Nays, 12.

Brookhart	Darting	Newberry	Snook
Browne	Gilchrist	Rees	Tuck
Buser	Johnston	Shinn	White

Absent or not voting, 10.

Caldwell	Fulton	Price	Thurston
Dutcher	McIntosh	Reed	
Ethell	Nelson	Romkey	

The report was adopted and the bill indefinitely postponed.

COMMITTEE FROM THE HOUSE

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

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

JOINT SESSION

As per concurrent resolution duly adopted, the joint session was called to order, Lieutenant-Governor John Hammill, President of the Senate, presiding.

The President announced a quorum present and the joint convention duly organized.

Brady of O'Brien moved that a committee of five be appointed, three from the House and two from the Senate, to notify the members of the delegation from Alabama that the joint session was ready to receive them.

Motion prevailed and the President appointed as such committee, Representatives Brady of O'Brien, Weber of Dubuque and Scott of Appanoose and Senators Slosson of Worth and Johnston of Lucas.

The committee appointed to notify the members of the delegation from Alabama that the joint convention was ready to receive them, returned, accompanied by the visiting guests.

Hon. John Hammill gave a short address of welcome and then introduced Senator Buser, who welcomed the guests on behalf of the Senate, and Representative Clark, who welcomed them on behalf of the House of Representatives.

The following response was made by Hon. C. W. Ashcraft, member of the House of Representatives of Alabama, on behalf of the visiting delegation:

Mr. President, Mr. Speaker, members of the Senate and House and ladies and gentlemen of Iowa:

I assure you that it is a great pleasure to all the members of our party to be accorded such a welcome from the people of Iowa through you, their representatives. It was only a few moments ago that I was sentenced to this particular occasion because I had incurred the displeasure of some of our party, and therefore, you have no set speech from this representative from Alabama. In fact, you representatives here know the position that we occupy in the matter of distinction when compared

to the executive and to the distinguished senators. I find myself oftentimes feeling like the gentleman from North Carolina. Down in South Carolina they think there are none other than the South Carolinians, and particularly if they happen to come from Charleston. On the other side are the distinguished Virginians, who entertain a like opinion about their state. So a gentleman from North Carolina introduced himself and when asked where he came from, he said: "I come from that slough of despondency between those two mountain peaks of pride."

I wish I might be able to respond correctly to the splendid addresses, to the real feeling of welcome which you have made us experience since coming here, but my inability in that respect makes me feel like the boy on the seashore with his best girl. He was doing his best to get out the words that would tell what he was thinking, but he made no progress at all. Shortly a gust of wind came along which filled his eyes and his ears and his nose full of sand. He coughed and sputtered. Beside him sat a real practical girl who said, "John, swallow a little of it, it will do you good."

The legislature of Alabama is confronted this year with the necessity of rewriting her code. The lawyers are in charge of the civil, the criminal and political features of our code, and the farmers were put in charge, in fact, had laid upon them the obligation to rewrite the agricultural code, so the gentlemen who were appointed upon this committee decided that they would, before undertaking that task, take a little tour through the United States, directing their steps particularly to those states in the union which are outstanding in the matter of agriculture, and, therefore, it goes without saying that this should be the climax of their visit. We are delighted to come to you of Iowa, and I am particularly pleased personally to look into your faces, because a few years ago I had a very delightful experience with some of your Iowa people overseas in war work and in traveling with a number of people from Iowa right from Des Moines and from Ames and other cities in your state, so I feel that I have an acquaintance with you already because of those splendid representatives I met at that time, and working with them in France and Germany.

You have taught this country very much, which has been well expressed here this morning by the gentleman who spoke of the percentage representing your contribution to this country. Ten per cent of all the foodstuffs produced is produced by you because, primarily, of the wonderful gift of God to you in the splendid soil, but onto that soil came that other splendid and divine gift—men and women who were willing to think and investigate and know and then put into action, and so Iowa is outstanding, not only in the United States, but in the whole world, for the contribution they make to humanity, in taking so long a step to feed humanity at home and abroad. We down in Alabama need to learn much from you and our other neighbor states because, while we are famed more or less for some lines of manufacture, yet it is a fact that something like 82 per cent or 83 per cent of all our population is rural and related directly to agriculture. We have made considerable progress in iron, steel, coal and many of the ores and minerals that contribute to the wealth of not only Alabama but to all the country and the

world, but we are not yet in step with the advanced thought in the matter of agriculture and agricultural education, so we are not only here representing the legislature of Alabama, but along with us comes our Commissioner of Agriculture and members of our college of agriculture and mechanic arts; the director of our extension service to do the studying along with us. In fact, to keep the feet of our legislators properly in the way so that we may gain the information necessary to clear up difficulties in making proper, correct and reasonable laws for the future. We shall go back, grateful to you indeed for the assistance already given and yet to be offered us during our stay in your state. We have already had some conferences this morning, immeasurably valuable. Others will be held here today, and then at Ames. We shall do our best to incorporate into the laws we shall undertake to write an expression of what we have here gathered.

We believe greatly in the extension service, as we know you do. I think this is one of the greatest steps in advancement that this country has ever made. We spoke of it since starting on our trip, thinking of those other days centuries ago when people went to Jerusalem to worship and to get spiritual sustenance and comfort and power, but the day came when the people could no longer concentrate at Jerusalem for inspiration. Even the veil of the temple was rent. Men carried the story and proclaimed it to the people who could not go up to Jerusalem. And likewise has come the extension service, not only in agriculture but in all forms of education when the people no longer have to go to colleges that they may receive an education, but education is carried to them in their homes in all the advancements of science that had been brought to us—telephone, wireless, radiophone, rural mail delivery, all forms of education, and then the great extension service, men and women going out to the homes and delivering there the instruction and help, not only by precept, but also by example. I feel sure that you have experienced, as we are experiencing, the great benefits from this great activity. But we in Alabama, and perhaps you here feel that we of this generation should be willing to forego the return of profits to ourselves in the activities which we are undertaking. It is difficult for us, I know, to plant and wait, but if we are to be men worthy of this country of ours, we must be willing so to work. The great landmarks of democracy may be set up in the roar of the cannon upon the fields of battle. Wars may define boundary lines and settle great principles temporarily, but if we are to have a moving, ruling democracy, it must be set up by line upon line, precept upon precept, here a little and there a little, through the schools, through the church, through the press and through you men patiently working here. We cannot do that in the shout and roar of battle; it must come to us as the still small voice in the patience and painstaking effort day in and day out. We may not, we will not live to witness and to realize upon our endeavors, but what matters it? Was it not a fact that the men at Thermopolæ died, died to a man, and in their dying they set a pace for liberty that has never slowed down? Was it not a fact that the men at the Alamo died, died to a man, but the Alamo was the inspiration of San Jacinto and gave to this country a great state in our commonwealth; and we may work and labor and die to a man,

yet the work which we set up must be of that nature that will carry on, broaden and benefit and expand as we go, and it is in that spirit that we have come to you, with no feeling that we know, only that we desire to learn and carry back to our people and undertake to set up ideals.

I heard it said once that no man was of himself, but he was the composite of all the people he had ever known in all his life, and if such may be the case, our committee may go back home thanking God for that part of our existence and that part of our laws which you have contributed, and on behalf of our committee I want to thank you, not only for your hospitality, but for your contribution to that which is to govern us in the future.

Down south we hear sometimes more or less concerning the southern hospitality, but, Mr. President and gentlemen of Iowa, I want to tell you that we can go back south and tell them a story of hospitality that comes out of this great northwestern part of our country.

Senator Goodwin moved that a committee of five be appointed, consisting of two members from the Senate and three from the House, to extend the hospitality of this General Assembly to these distinguished guests while in our midst. Motion prevailed, and the President appointed as members of such committee, Senators Goodwin of Polk and Bowman of Blackhawk, and Representatives Hauge of Polk, Diltz of Polk and Harrison of Pottawattamie.

Schirmer of Jackson moved that the remarks of Hon. C. W. Ashcraft be printed in the Journal. Motion prevailed.

The Senate returned to the Senate chamber and resumed session.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 513, 471, 374 and 504.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

By unanimous consent Senator Kimberly withdrew Senate Files Nos. 357, 356 and 605 from further consideration.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files Nos. 374, 471, 504, and 513.

ADJOURNMENT RESOLUTION CONSIDERED

On motion of Senator Banta the following House concurrent resolution was substituted for the Senate concurrent resolution introduced by him:

Be It Resolved by the House, the Senate concurring, That the Fortieth General Assembly adjourn, sine die, at 12:00 noon, Tuesday, April 17, 1923.

Senator Mantz offered the following amendment and moved its adoption:

Amend by striking out the words "Tuesday, April 17th" and inserting in lieu thereof the following: "Thursday, April 12th".

On the question "Shall the amendment be adopted?" the vote was:

Ayes 21.

Abben	Dutcher	Nelson	Shane
Adams	Gilchrist	Perkins	Shinn
Baird	Goodwin	Rees	Tuck
Bergman	Hale	Scott	White
Browne	Hartman	Shaff	
Buser	Mantz		

Nays, 23.

Banta	Ethell	Kimberly	Slosson
Brookins	Fulton	Mead	Smith
Caldwell	Haskell	Newberry	Snook
Campbell	Holdoegel	Olson	Stoddard
Cessna	Horchem	Price	Wichman
Darting	Johnston	Romkey	

Absent or not voting, 5.

Bowman	McIntosh	Reed	Thurston
Brookhart			

The amendment was lost.

Senator Shaff offered the following amendment and moved its adoption:

Amend by striking out the words "Tuesday, April 17th" and inserting in lieu thereof the words "Friday, April 13th."

The amendment was lost.

On the question "Shall the resolution be concurred in?" the vote was:

Ayes, 32.

Abben	Cessna	Johnston	Rees
Adams	Darting	Kimberly	Romkey
Baird	Dutcher	Mead	Shane
Banta	Ethell	Nelson	Slosson
Bergman	Fulton	Newberry	Smith
Brookins	Gilchrist	Olson	Snook
Caldwell	Holdoegel	Perkins	Stoddard
Campbell	Horchem	Price	Wichman

Nays, 4.

Browne	Shaff	Shinn	Tuck
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Absent or not voting, 13.

Bowman	Hale	Mantz	Thurston
Brookhart	Hartman	Reed	White
Buser	Haskell	Scott	
Goodwin	McIntosh		

The resolution was adopted and concurred in.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Pro Tem Jno. R. Price presiding.

The roll was called to ascertain if there was a quorum present.

The roll call revealed the presence of a quorum.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator McIntosh for the day, on request of Senator Price.

On motion of Senator Dutcher, Senate File No. 316, a bill for an act to make an emergency appropriation to complete the fireproofing and preservation of the old capitol at Iowa City, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Abben	Darting	Kimberly	Shinn
Adams	Dutcher	Mantz	Snook
Baird	Fulton	Mead	Stoddard
Banta	Gilechrist	Newberry	Thurston
Bergman	Hale	Perkins	White
Brookins	Hartman	Price	Wichman
Caldwell	Haskell	Rees	
Cessna	Holdoegel	Shane	

Nays, 1.

Tuck.

Absent or not voting, 18.

Bowman	Ethell	Nelson	Shaff
Brookhart	Goodwin	Olson	Slosson
Browne	Horchem	Reed	Smith
Buser	Johnston	Romkey	
Campbell	McIntosh	Scott	

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

On motion of Senator Cessna, House File No. 498, a bill for an act to repeal section three (3), chapter two hundred eighty-four (284), acts of the Thirty-seventh (37th) General Assembly, as amended by chapter three hundred thirty-seven (337), acts of the Thirty-ninth (39th) General Assembly, and to enact a substitute in lieu thereof, relating to appropriation of funds to enable the board of railroad commissioners to continue the investigation of the valuation of the property of common carriers made by the interstate commerce commission, having been substituted for Senate File No. 454, was taken up and considered.

The bill was read for information.

Senator Cessna moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Abben	Darting	Johnston	Romkey
Baird	Dutcher	Kimberly	Shane
Banta	Fulton	Mantz	Shinn
Bergman	Gilchrist	Mead	Snook
Brookhart	Hale	Newberry	Stoddard
Brookins	Hartman	Perkins	Thurston
Caldwell	Holdoegel	Price	White
Cessna	Horchem	Rees	Wichman

Nays, 1.

Browne

Absent or not voting, 16.

Adams	Ethell	Nelson	Shaff
Bowman	Goodwin	Olson	Slosson
Buser	Haskell	Reed	Smith
Campbell	McIntosh	Scott	Tuck

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

Senator Cessna moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent Senator Cessna withdrew Senate File No. 454 from further consideration.

On motion of Senator Holdoegel House File No. 353, a bill for an act to amend chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly, (C. C. chapter 7, title XI) as amended, relating to the construction, improvement, and maintenance of highways and providing for the surfacing of roads belonging to secondary road system within cities and towns, was taken up and considered, the report of the committee having been previously adopted.

The following committee amendment was adopted:

Amend by inserting after the word "city" in line seven (1) of section one (1) of the original bill the words "including cities under special charter".

Senator Holdoegel offered the following amendment and moved its adoption:

Amend House File No. 353 by inserting after the word "road" in line nine (9) of section one (1) the words "adjacent to lands used for agricultural or horticultural purposes as described in section 3485 of the compiled code,"

Also, amend by striking from line one (1), section one (1), the words "the unplatted portion of".

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by inserting after the word "improving" in line ten (10) of section one (1) the words "by hard surfacing or graveling."

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend House File 353 by striking all of section one (1) after the word "town" appearing in line twelve (12) and inserting in lieu thereof the following: "and the county board of supervisors are hereby authorized to include by resolution within such secondary road project such portion of such road in said city or town as may be located in the unplatted portion thereof and to assess such unplatted lands within the zone of benefit assessments upon the same basis and in the same manner as provided by law relating to the levy of benefit assessments upon the secondary road system outside the limits of cities and towns.

By unanimous consent Senator Buser amended the amendment by striking out the words "in the unplatted portion thereof"

in lines 6 and 7 and inserting in lieu thereof the words "as provided herein," and by striking the word "unplatted" from line 7.

The amendment was adopted.

The bill was read for information.

Senator Holdoegel moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 27.

Abben	Fulton	Kimberly	Scott
Adams	Gilchrist	Mantz	Shane
Baird	Hale	Mead	Smith
Banta	Hartman	Newberry	Stoddard
Bergman	Haskell	Olson	White
Caldwell	Holdoegel	Perkins	Wichman
Darting	Horchem	Price	

Nays, 3.

Browne	Nelson	Snook
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Absent or not voting, 19.

Bowman	Cessna	McIntosh	Shinn
Brookhart	Dutcher	Reed	Slosson
Brookings	Ethell	Rees	Thurston
Buser	Goodwin	Romkey	Tuck
Campbell	Johnston	Shaff	

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

On motion of Senator Banta Senate File No. 469, a bill for an act to amend section eighteen hundred and two (1802) of the compiled code and to amend section eighteen hundred and five (1805) of the compiled code and repeal a part thereof, relating to the registration of animals, was taken up and considered, the report of the committee for indefinite postponement having been rejected.

Senator Mead offered the following amendment and moved its adoption:

Amend by inserting before the period (.) in line nine (9) the following: "provided that no stallion entitled, at the time of taking effect of this act, under the provisions of section eighteen hundred eleven (1811) of the compiled code to a permanent state certificate of soundness shall be denied enrollment."

The amendment was adopted.

The bill was read for information.

Senator Banta moved that the reading just had be considered the third reading, which motion prevailed.

Senator Banta invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 24.

Adams	Gilchrist	Kimberly	Shane
Baird	Goodwin	Mantz	Smith
Banta	Hale	Olson	Stoddard
Bergman	Haskell	Perkins	Tuck
Caldwell	Holdoegel	Scott	White
Dutcher	Horchem	Shaff	Wichman

Nays, 21.

Abben	Cessna	Mead	Shinn
Brookhart	Darting	Nelson	Slosson
Brookins	Ethell	Newberry	Snook
Browne	Fulton	Price	
Buser	Hartman	Rees	
Campbell	Johnston	Romkey	

Absent or not voting, 4.

Bowman	McIntosh	Reed	Thurston
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports it has on this 28th day of March, 1923, sent to the Governor for his approval, Senate Files Nos. 374, 471, 504 and 513.

F. C. GILCHRIST, *Chairman*.

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 372, 375, 379, 408, 460, and 687.

F. C. GILCHRIST, *Chairman Senate Committee*,

C. F. LETTS, *Chairman House Committee*.

Report adopted.

REPORTS OF COMMITTEES

Senator Ethell submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 652, a bill for an act to amend section four thousand six hundred-a (4600-a) supplement to the code, 1913 as amended by chapter two hundred sixteen (216) acts of the Thirty-eighth (38th) General Assembly, and chapter one hundred and one (101) acts of the Thirty-ninth (39th) General Assembly (S. C. C. 6837) relating to fees of justices of peace and constables, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking from line six of section 1, the figures "15" and inserting in lieu thereof the figures "14".

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Senator Kimberly submitted the following report:

MR. PRESIDENT: Your committee on board of control to which was referred House File No. 614, a bill for an act to amend section 2727-a1, supplement to the code, 1913, (C. C. 2047) relating to compensation of inspectors under the board of control, begs leave to report it has had the same under consideration and recommends the same do pass.

D. W. KIMBERLY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on board of control to which was referred Senate File No. 649, a bill for an act to authorize the executive council to exchange certain lands belonging to the state for other lands located in Hancock county, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

D. W. KIMBERLY, *Chairman*.

Ordered passed on file.

Senator Holdoegel submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred House File No. 400, a bill for an act to amend section 39, of chapter 237 of the laws of the Thirty-eighth General Assembly (C. C. 2947) authorizing the board of supervisors to use a part of the primary road fund for the purpose of improving the secondary roads of the county, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend section 2 by inserting after the word "gravelling" in line four (4) thereof the words "or other surfacing approved by the highway commission".

P. C. HOLDOEGEL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 329, a bill for an act to amend chapter 237 of the acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly, and sections 8, 13, 14, 18 and 36 of said chapter (C. C. sec. 2916, 2921, 2922, 2928, 2944) relating to the construction, improvement and maintenance of highways so as to provide for the payment of a portion of the cost of graveling any primary road by special assessments and to provide for the improvement of the secondary roads and to provide for the payment of the cost of the improvement of secondary roads by contribution from the county's allotment of the primary road fund, begs leave to report it has had the same under consideration and recommends 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 chapter two hundred thirty-seven (237) of the acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly be and the same is hereby amended as follows: by changing the word 'seventy-five' where it appears in line five (5) of said section to the words 'eighty-seven and a half'. Also by amending section fourteen (14) of said chapter (C. C. sec. 2922) by changing the word 'twenty-five' where it appears in line twenty-one (21) thereof to the words 'twelve and one half'. Also by amending section eighteen (18) of said chapter (C. C. sec. 2926) by changing the word 'twenty-five' where it appears in lines two (2) and eleven (11) thereof to the words 'twelve and one-half'. Also by amending section thirty-six (36) of said chapter (C. C. sec. 2944) by changing the word 'seventy-five' where it appears in lines sixty-seven (67) and sixty-nine (69) of said section to the words 'eighty-seven and a half'.

Sec. 2. That chapter two hundred thirty-seven (237) of the acts of the Thirty-eighth General Assembly as amended by acts of the Thirty-ninth General Assembly be and the same is hereby amended by inserting immediately following section forty-five (45) (C. C. sec. 2953) thereof the following:

Whenever any part of the cost of the improvement of any portion of the primary road system is paid by special assessments, as in this chapter provided, the state highway commission shall at the time it certified the portion of the cost of said improvement to be paid from the county's allotment of the primary road fund, certify to the auditor of state the total amount of the special assessments for such improvement in the assessment district. The auditor of state shall, at once, upon receipt of said certificate issue a warrant equal in amount to the total special assessment so certified. Such warrants shall be payable to the treasurer of the county in which the assessment district is located, and shall be paid by the treasurer of state from the county's allotment of the primary road fund. The money so received by the county treasurer shall be deposited by him in a special road fund to be expended by order of the board of supervisors for the improvement of all county and township

roads located within the assessment district for which the money was paid. If all of the money so received is not required for the improvement of the roads in that assessment district, any balance remaining shall be expended for the improvement of such roads extending into adjoining districts. Whenever any assessment district lies in more than one county and the boards of supervisors are unable to agree on its limits, or which county shall construct the improvement, or as to any other matter connected therewith, either board may apply to the state highway commission for a decision in the matter. Said commission shall determine any matter so submitted to it, and its order shall be final.

Sec. 3. In all cases where assessments of 25% for hard surfacing have heretofore been levied against adjoining property under the provisions of chapter two hundred thirty-seven (237) of the 38th General Assembly and amendments thereto, and such assessments have either been paid or certificates issued to cover deferred installments, all of the same over and above 12½ per cent shall be refunded to such parties out of the motor vehicle portion of the primary fund allotment to the counties in which such levies were made or out of the funds arising from the sale of primary road bonds voted by such counties. The Board of Supervisors may determine whether such refund shall be made in one sum or in annual installments not exceeding five and in no case shall interest be allowed on the amounts so refunded.

In case of sale of such adjoining lands prior to making such refund and such assessments have not been paid in full, the same shall be paid to the parties interested in proportion to the amount paid or assumed by them respectively or as may be agreed between such parties at the time such refund is made.

Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Des Moines Capital and the Des Moines News, newspapers published at Des Moines, Iowa.

Also, to amend the title so as to read as follows:

An act to amend chapter two hundred thirty-seven (237) of the acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly, and sections thirteen (13), fourteen (14), eighteen (18) and thirty-six (36) of said chapter (C. C. sec. 2921, 2922, 2928, 2944) relating to the construction, improvement and maintenance of highways and to provide for the payment of the cost of the improvement of secondary roads by contribution from the county's allotment of the primary road fund and providing for a refund of a part of the assessment heretofore made.

P. C. HOLDOEGEL, *Chairman.*

Ordered passed on file.

SPECIAL COMMITTEE REPORT

March 28, 1923.

MR. PRESIDENT: Your committee on highways to which was referred Senate Files Nos. 329, 277, and House File No. 307, with instructions to coordinate interlocking features and return with recommendations, begs

leave to submit the report that they have had this matter under consideration; that they have reported out Senate File No. 329 with committee amendments; that they recommend that Senate File No. 277 and House File No. 307 be held in the committee until Senate File No. 329 as amended is disposed of.

Very respectfully submitted,

P. C. HOLDOBALE, *Chairman.*

The rule was suspended and the report was adopted.

President Hammill took the chair at 3 p. m.

AMENDMENTS FILED

I move to amend Senate File No. 583 by amending the title as follows:

Amend the title by striking all of said title and inserting in lieu thereof the following: "An act to amend the law as it appears in sections nine (9), eleven (11), thirteen (13) and fourteen (14) of chapter two hundred eighty-eight (288), acts of the Thirty-eighth General Assembly, (C. C. 4002, 4104, 4006, 4007) relating to waterworks in cities now and hereafter having a population of 100,000 inhabitants or over, including cities acting under the commission form of government."

Amend by striking all of said bill following the enacting clause and inserting in lieu thereof the following:

Section 1. That the law as it appears in section nine (9) of chapter two hundred eighty-eight (288), acts of the Thirty-eighth General Assembly, be and the same is hereby amended by striking out of said act all of said section, and inserting in lieu thereof the following: "The board of waterworks trustees shall have supervision over and be responsible for all details of administration and operation of said waterworks, the board to determine all questions of engineering, mechanical and operating details, extensions of mains except, as otherwise specifically provided, and other improvements and betterments of said waterworks, and report to the council at such stated periods as the council may determine all information necessary for its guidance in the issuance of bonds and the performance of such other duties as may be required of it under said chapter two hundred eighty-eight (288), acts of the Thirty-eighth General Assembly, as amended, it being the intent and purpose of this act to give such board of waterworks trustees complete management and control of said waterworks, together with all land and property now or heretofore held and used in connection therewith, with the right to make all necessary contracts pertaining to the operation, maintenance, extensions and improvements of the same, as well as the right to sue and be sued."

Sec. 2. That the law as it appears in section eleven (11) of chapter two hundred eighty-eight (288), acts of the Thirty-eighth General Assembly, be and the same is hereby amended by striking out all of said section, and inserting in lieu thereof the following: "The board of waterworks trustees, in all such cities owning and operating a waterworks under this act, shall determine the rates to be charged for water. In

fixing the rate to be paid by the city for water for public uses the board shall take into consideration the quantity used and fix the rate accordingly but in no event shall such rate exceed an annual rental or rate of three hundred fifty (\$350.00) dollars for each mile of main pipe laid and in operation, including hydrant connections, and not including more than one line of pipe on the same street, and not including any pipe less than six inches in diameter laid since August 17, 1896.

Rates to private consumers and to the city shall be so fixed as to produce an amount which with other revenues collectible shall be sufficient to cover:

1. Interest on the entire outstanding indebtedness of said waterworks, including that portion that is a general obligation against the city.

2. The cost of all operating expenses, including insurance against legal liability and payment of judgment resulting from such liability.

3. A sufficient sum by way of a depreciation fund to cover such repairs and replacements as may properly be charged against such fund.

4. A sufficient annual provision for a sinking fund to fully pay at maturity all bonds and certificates which by their terms are payable out of the special tax provided for in this chapter, or out of the earnings of the property purchased under the powers herein granted.

5. A surplus in addition to the requirements set out in the last four (4) preceding paragraphs to be used as a working capital of not to exceed one hundred and twenty-five thousand (\$125,000.00) dollars provided, however, that the board may absorb all surplus in excess of fifty-thousand (\$50,000.00) dollars by reducing water rates to consumers and must so absorb all such surplus in excess of one hundred and twenty-five thousand (\$125,000.00) dollars.

If necessary the city is hereby authorized to levy a sufficient tax as provided in paragraph five (5) of section eight hundred ninety-four (894) of the code and the acts amendatory thereto to provide funds to pay for the water used by such city for public uses.

The sum payable by the city for water furnished as herein provided shall hereafter be paid by the city in May of each year for the last six months of the preceding year, and in November of each year for the first six months of that current year. In any city now affected by this act the first payment herein provided for shall be made in May, 1924, and shall be for the last six months period of 1923.

Sec. 3. That the law as it appears in section thirteen (13), chapter two hundred eighty-eight (288), acts of the thirty-eighth general assembly, be and the same is hereby amended by inserting in the first line thereof after the word "person" the words "or corporation" and inserting between the word "public" and the period in line three (3) the following: "except as herein provided."

Sec. 4. That the law as it appears in section fourteen (14) chapter two hundred eighty-eight (288), acts of the Thirty-eighth General Assembly, be and the same is hereby amended by inserting after the word "extensions" in line six (6) thereof the following: "It shall be the

duty of the city council, immediately after the passage of any ordinance or resolution, ordering any street improvement or sewer upon any street or streets, in which a water main should be laid or extended prior to such improvement as indicated by a majority vote of the council, to give notice in writing to the board of waterworks trustees of such action, and to forward to said board a copy of such resolution or ordinance ordering the said improvement. On receipt of said notice, the board shall proceed without unnecessary delay to cause mains to be laid or extended in those streets affected by the resolution or ordinance."

Sec. 5. This act being deemed of immediate importance shall be in full force and effect on and after its passage and publication in the Evening Tribune and Des Moines Capital, newspapers published in Des Moines, Iowa.

WILLIAM J. GOODWIN.

The Journal of March 27th was corrected and approved.

On motion of Senator Brookhart the Senate adjourned until 9 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 29, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. A. P. Blough, pastor of the Church of the Brethren, Waterloo, Iowa.

On motion of Senator Brokhart rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator McIntosh for the day, on request of Senator Price.

PETITIONS AND MEMORIALS

Senator Shinn presented a petition from women of Ottumwa asking support for the nine hour law for working women. Referred to committee on labor.

Senator Brookhart presented a petition from H. R. Theel, Dundee, protesting Senate File 478 relative to insurance. Referred to committee on insurance.

Senator Shinn presented a petition from voters of the Pisgah consolidated school district endorsing measures proposing state aid to consolidated schools derived from a tax on tobacco. Referred to committee on ways and means.

Petitions from the Modern Woodmen protesting House File 544 relative to fraternal beneficiary societies were presented by Senator Gilchrist from Camp 3242, Fonda; by Senator Brookhart from Camp 5792, Salem; and by Senator Shinn from Camps 325, 364, and 1183, Dunlap Castana and Dow City. All were referred to committee on insurance.

INTRODUCTION OF BILLS

Senate File No. 710, by committee on appropriations, a bill for an act to provide for a portrait of the Honorable Jonathan

Prentiss Dolliver and making an appropriation therefor.

Read first and second times and placed on the calendar.

Senate File No. 711, by committee on appropriations, a bill for an act making an appropriation to provide for Ardis Rober-dee recipient of injuries in line of duty at Camp Dodge, Iowa.

Read first and second times and placed on the calendar.

Senate File No. 712, by committee on departmental affairs, a bill for an act to amend sections nineteen hundred twenty-k (1920-k) to nineteen hundred twenty-s (1920-s), inclusive, supplement to the code, 1913, (C. C. 5409 to 5416 inclusive) relating to the regulation of certain persons, companies, partnerships, associations, or corporations.

Read first and second times and placed on the calendar.

Senate File No. 713, by committee on ways and means, a bill for an act to repeal the law as it appears in section thirteen hundred ten (1310), thirteen hundred eleven (1311), thirteen hundred twenty-one (1321) thirteen hundred twenty-two (1322) thirteen hundred twenty-two 1a (1322-1a) thirteen hundred twenty-two 2a (1322-2a) thirteen hundred twenty-two 3a (1322-3a), thirteen hundred twenty-two 4a (1322-4a) thirteen hundred twenty-two a (1322-a) and thirteen hundred twenty-six (1326) of the supplement to the code, 1913, (C. C. sec. 4504, 4505, 4509, 4511, 4512, 4516), and section nineteen hundred twenty (1920) of the code, 1897 (C. C. sec. 4516) and to enact substitutes therefor; also to amend the law as it appears in section thirteen hundred twenty-five (1325) of the code (C. C. 4515); all relating to the assessment and taxation of moneys, credits and other forms of intangible property; and providing for the levy of an income and dividend tax on the shares of stock of national, state and savings banks, loan and trust companies, building and loan associations, investment companies, mortgage companies, and other corporations doing a business of a similar kind and character and moneyed capital as defined in section fifty-two hundred nineteen (5219) of the revised statutes of the United States as amended.

Read first and second times and placed on the calendar.

Senate File No. 714, by committee on ways and means, a bill for an act to legalize, ratify and confirm any and all taxes heretofore paid, levied or assessed upon the shares of national, state

or savings banks, the collection thereof and the action of any assessor, board of review or assessment body.

Read first and second times and placed on the calendar.

Senate File No. 715, by committee on judiciary No. 2, a bill for an act to amend section eight hundred thirty-nine (839), code of 1897 (C. C. section 3903), relating to special assessments and appeals therefrom.

Read first and second times and placed on the calendar.

Senate File No. 716, by committee on judiciary No. 2, a bill for an act regulating the construction, installation, equipment, maintenance and operation of elevators; providing for the adoption of a code of standards, rules and regulations; providing for the inspection of elevators and making provision for its enforcement and providing penalties for violation.

Read first and second times and placed on the calendar.

REPORTS OF COMMITTEES

Senator Brookhart, submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 661, a bill for an act to amend the law as it appears in section three thousand two hundred ninety-seven (3297) of the code, relating to the application for appointment of administrator where an executor is not appointed by will, and providing the order in which such appointment may be made, beg leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 659, a bill for an act providing for the appointment of a child welfare commission, defining its powers and duties, begs leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 670, a bill for an act to legalize the certification by the county auditor, Bremer county, Iowa, of the annual levy for school purposes for the school year 1922-1923 of the Independent School District No. One (1), Douglas township, Bremer county, Iowa, to the Bremer

county board of supervisors, in the sum of eight hundred dollars (\$800.00), begs leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 584, a bill for an act to amend section fifty-two hundred forty-six (5246) of the supplement to the code, 1913, (C. C. 9306-7) relating to the drawing of grand jurors, begs leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 644, a bill for an act to legalize certain contracts awarded by the board of supervisors of Des Moines county, Iowa, and the council of the city of Burlington, Iowa, prior to January 1st, 1923, for the hard surfacing of certain roads in said county, and authorizing the issuing of certificates in anticipation of the allotments of primary road fund by said county, begs leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 586, a bill for an act providing for the licensing and regulation of billiard and pocket billiard rooms and providing penalties for violations of the act and to amend sections seven hundred two (C. C. 3605) and five thousand two (5002) (C. C. 8827) of the code, and chapter three hundred fifty-eight (358), acts of the Thirty-seventh General Assembly (C. C. 3136), relating to the operation of pool and billiard rooms, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. L. BROOKHART, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 639, a bill for an act to legalize the acts and proceedings in relation to drainage district number thirty (30) Polk County, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Senator Buser submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File No. 683, a bill for an act to amend chapter one hundred nineteen (119) acts of the Thirty-ninth General Assembly, relating to bonded warehouses for agricultural products, begs leave to report it has had the same under consideration and recommends the same do pass.

J. D. BUSER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred House File No. 607, a bill for an act to amend section five thousand seventy-seven-a6 (5077-a6) supplement to the code, 1913, (C. C. 1514), relating to commercial feeding stuffs, begs leave to report it has had the same under consideration and recommends the same do pass.

J. D. BUSER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File No. 498, a bill for an act to encourage draft horse industry in the state of Iowa, and to aid in providing instruction in practical and scientific methods, and making an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. D. BUSER, *Chairman*.

Senator Price moved the previous question, which motion prevailed, and the previous question was ordered.

Senator Hale raised the point of order that Senator Buser was off the subject.

The President held the point well taken.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 22.

Abben	Darting	Nelson	Slosson
Adams	Ethell	Price	Smith
Browne	Fulton	Rees	Snook
Buser	Hartman	Romkey	White
Campbell	Haskell	Shane	
Cessna	Johnston	Shinn	

Nays, 23.

Baird	Dutcher	Kimberly	Scott
Banta	Glchrist	Mantz	Shaff
Bergman	Goodwin	Newberry	Stoddard
Bowman	Hale	Olson	Tuck
Brookins	Holdoegel	Perkins	Wichman
Caldwell	Horchem	Reed	

Absent or not voting, 4.

Brookhart

McIntosh

Mead

Thurston

The report was rejected and the bill was referred to the committee on appropriations.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File No. 574, a bill for an act for the dissemination among the farmers of the state of Iowa reports on market prices of live stock and other agricultural products, and for the establishment of stations therefor, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. D. BUSER, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Senator Tuck submitted the following report:

MR. PRESIDENT: Your committee on public libraries to which was referred Senate File No. 503, a bill for an act to amend section seven hundred twenty-eight (728), supplemental supplement to the code, 1915, relating to library trustees, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. C. TUCK, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on public libraries to which was referred Senate File No. 493, a bill for an act to repeal section seven hundred thirty-two (732), supplement to the code, 1913, (compiled code sec. 3758), relating to library tax, additional support of libraries and transfer from building to maintenance fund, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. C. TUCK, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on public libraries to which was referred Senate File No. 497, a bill for an act to repeal section seven hundred twenty-seven (727), supplement to the code 1913, (compiled code, sec. 3749), relating to public libraries and to the conditions of and enforcement of bequests therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

J. C. TUCK, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public libraries to which was re-

ferred Senate File No. 492, a bill for an act to repeal section seven hundred twenty-nine (729), of the supplement to the code, 1913, (compiled code, sec. 3751), relating to powers of library trustees, begs leave to report it has had the same under consideration and recommends the same do pass.

J. C. TUCK, *Chairman*.

Ordered passed on file.

Senator Thurston submitted the following report:

MR. PRESIDENT: Your committee on labor to which was referred House File No. 428, a bill for an act to amend sections twenty-four hundred seventy-seven-h (2477-h) and twenty-four hundred seventy-seven-l (2477-l) of the supplement to the code, 1913 (C. C. 894-898), and to make further provisions for the regulation of employment offices or bureaus, begs leave to report it has had the same under consideration and recommends the same do pass.

LLOYD THURSTON, *Chairman*.

Ordered passed on file.

Senator Slosson submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 361, a bill for an act providing for the supervision and regulation of persons either natural or artificial engaged in the transportation of persons or property for hire over the public highways of the state by motor vehicles and conferring certain jurisdiction over such persons and such vehicles upon the board of railroad commissioners of the state; also providing for the enforcement of this act and for the punishment of violation thereof, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out sub-section (b) of section one (1) and substituting the following:

(b) The term "motor carrier" when used in this act means any person, firm or corporation, lessee, trustee or receiver, operating any motor vehicles with or without trailers attached, upon any public highway for the transportation of passengers or property for compensation, between fixed termini or over a regular route even though there may be periodic or irregular departures from said termini or route, or for delivering oils, goods or merchandise in the vicinity of a distributing point except such motor carriers operating solely within the limits of a municipality.

Amend by striking out section two (2) and inserting the following therefor:

Sec. 2. The board of railroad commissioners of the state of Iowa is hereby vested with power and authority to regulate every motor carrier, as defined in this act, in this state; and the commission shall also have power and authority by general order or otherwise to prescribe rules and regulations applicable to any and all motor carriers.

Amend sec. 4 by striking out of line four (4) thereof the following "declaring public convenience and necessity require" and inserting in lieu thereof the word "authorizing".

Also amend by striking out of line eight (8) the following "and is necessary thereto".

Also amend by inserting after the word "public" at the end of line twelve (12) the word "safety", also by inserting a "comma" (,) after the word "safety".

Also amend by striking out the word "alter" as it appears in line fourteen (14) and inserting in lieu thereof the word "modify".

Amend sec. 5 by striking out the words "Polk County, Iowa," as it appears in line three (3) thereof and inserting in lieu thereof the following "any county in Iowa in which any portion of the route over which they are authorized to operate is located".

Also amend by striking out the word "five" as it appears at the end of line eight (8) and inserting in lieu thereof the word "one".

Amend by striking out section six (6) and inserting the following in lieu thereof:

Sec. 6. No certificate of authorization issued under the provisions of this act shall be sold, transferred, leased or assigned nor shall any contract or agreement with reference to or affecting any such certificate be made except with the written approval of the board. Nor shall any person, natural or artificial be permitted to take over any such certificate unless he or it shall assume all the obligations imposed upon an original applicant.

Amend by striking out section seven (7) and inserting the following in lieu thereof:

Sec. 7. No motor carrier shall be permitted to operate a vehicle, equipped with solid rubber tires which together with its maximum load, weighs more than sixteen thousand pounds or one equipped with pneumatic tires which together with its maximum load, over twenty thousand pounds over the public highways of this state.

Amend by striking out section eight (8) and inserting the following in lieu thereof:

Sec. 8. Cities and towns, including cities under special charter, shall have power, by ordinance, to adopt general rules of operation and to designate the streets or routes over which motor carriers shall travel, provided however, that the exercise of the power granted in this section shall be reasonable and fair.

Amend by striking out section nine (9) and inserting the following in lieu thereof:

Sec. 9. In addition to the regular license fees or taxes imposed by the law relating to motor vehicles and motor trucks, every motor carrier shall pay each year of operation or portion thereof compiled from January first the following fees or taxes for the maintenance and the upkeep of the public highways:

For passenger vehicles.

Up to and including seven seat capacity, exclusive of driver, five dollars (\$5.00) per seat for each seat capacity.

From seven up to and including fifteen seat capacity, exclusive of driver, seven dollars and fifty cents (\$7.50) for each seat capacity.

For all over fifteen seat capacity, exclusive of driver, ten dollars (\$10.00) per seat capacity.

For freight vehicles with pneumatic tires.

Up to three tons rated capacity, one dollar for each one hundred pounds of gross weight of vehicles and rated capacity.

Over three tons rated capacity, one dollar and fifty cents (\$1.50) for each one hundred pounds of gross weight of vehicle and rated capacity.

For freight vehicles with solid rubber tires.

Up to three tons rated capacity, one dollar and fifty cents (\$1.50) for each one hundred pounds of gross weight of vehicle and rated capacity.

Over three tons rated capacity, two dollars (\$2.00) for each one hundred pounds of gross weight of vehicle and rated capacity.

All fees or taxes herein provided shall be paid to the secretary of state quarterly in advance, on or before the first day of January, April, July and October.

Amend section 10 by striking out the words "convenience and necessity" as it appears in line one (1) thereof and inserting in lieu thereof the word "authorization".

J. M. SLOSSON, *Chairman*.

Ordered passed on file.

MOTION TO LIMIT ARGUMENTS ON COMMITTEE REPORTS

MR. PRESIDENT: I move that for the remainder of this session no Senator be permitted to speak for a longer period than five minutes on the question of the report of a committee indefinitely postponing a bill and that the total amount of time by all shall not exceed twenty minutes on any one report.

JNO. R. PRICE.

The motion prevailed.

Senator Smith moved that one thousand extra copies of Senate File No. 713 be printed and that the printer be requested to hold the slugs for further instructions, which motion prevailed.

MOTION FOR SPECIAL ORDER ON APPROPRIATION BILLS

Senator Price moved that all appropriation bills on the calendar be made a special order for next Tuesday at 10 a. m.

Senator Dutcher moved as a substitute motion that Senate Files Nos. 462, 354, 706, 704, 707, 708, 709, 458, 540, 284, 536, 669,

567, 370, 537, 452, 510, 465, 472, 656, 571, 572, 330, 468, 527 Committee Bill No. 1, Committee Bill No. 3, 464, 589, 613, 614, 479, all being bills making appropriations of public funds, be referred to the committee on appropriations and said committee on appropriations be instructed to report upon said bills as soon as practicable and not later than April 5, 1923.

Senator Price raised the point of order that his motion had precedence over Senator Dutcher's motion under rule 10.

The President held the point well taken and said that making these appropriation bills a special order would be changing the rules and would require a two-thirds vote.

On the question "Shall the motion to make these bills a special order prevail?" the vote was:

Ayes, 15.

Brookhart
Browne
Buser
Campbell

Cessna
Ethell
Hartman
Johnston

Nelson
Price
Rees
Romkey

Shinn
Snook
Thurston

Nays, 26.

Abben
Adams
Baird
Banta
Bowman
Darting
Dutcher

Fulton
Gilchrist
Goodwin
Hale
Holdoegel
Horcheni
Mantz

Mead
Newberry
Olson
Perkins
Reed
Scott
Shaff

Shane
Slosson
Stoddard
White
Wichman

Absent or not voting, 8.

Bergman
Brookins

Caldwell
Haskell

Kimberly
McIntosh

Smith
Tuck

The motion was lost.

Senator Price asked for a division of Senator Dutcher's motion, putting the bills introduced prior to March 20th in one class and those introduced subsequent to March 20th in another.

The President held the request out of order.

Senator Price invoked rule 8.

On the question "Shall the motion made by Senator Dutcher prevail?" the vote was:

Ayes, 30.

Abben
Adams
Baird

Banta
Bergman
Bowman

Brookins
Caldwell
Darting

Dutcher
Gilchrist
Goodwin

Hale
Haskell
Holdoegel
Horchem
Kimberly

Mantz
Newberry
Olson
Perkins
Reed

Scott
Shaff
Shane
Slosson
Smith

Stoddard
White
Wichman

Nays, 18.

Brookhart
Browne
Buser
Campbell
Cessna

Ethell
Fulton
Hartman
Johnston
Mead

Nelson
Price
Rees
Romkey

Shinn
Snook
Thurston
Tuck

Absent or not voting, 1.

McIntosh

The motion prevailed.

Senator Price raised the point of order that on all bills that were referred to the committee before March 20th it would take a two-thirds vote to suspend the rules and adopt this motion.

The President held the point not well taken.

MESSAGES 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. 615, a bill for an act to protect firemen, engineers and employees of steam railroads, by providing for automatic doors to the fire boxes of locomotive engines, prescribing penalties for its violation, repealing all laws in conflict therewith, and fixing a time when the same is to be in force.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 621, a bill for an act to amend section eighteen hundred seventy-three (1873) supplement to the code 1913 (C. C. 5801) relating to the publication of statement of condition of banks.

Also, that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 554, a bill for an act to amend section six hundred sixty-a (660-a), chapter two (2), title five (5), of the supplement to the code 1913 (C. C. 3530), relating to the deposit of funds of towns and cities.

Also, that the House has amended and adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate concurrent resolution relative to including bills for claims in the omnibus bill.

Also, that the House requests the return of House File 723, a bill for an act to amend section eighteen hundred seventy-three (1873), supple-

ment to the code, 1913, (C. C. sec. 5801) relating to the publication of statement of condition of banks.

Also, that the House has concurred in Senate amendments to House File 285, a bill for an act to repeal sections twenty-one hundred twenty-six (2126) (C. C. 5177) and twenty-one hundred forty-six (2146) (C. C. 5201), of the code, and to enact a substitute therefor, and to repeal section twenty-one hundred forty-five (2145) (C. C. 5200), of the supplement to the code, 1913, all relating to the powers and duties of the board of railroad commissioners, and the regulation of carriers.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE MESSAGE CONSIDERED

House File No. 615, a bill for an act to protect firemen, engineers and employees of steam railroads, by providing for automatic doors to the fire boxes of locomotive engines, prescribing penalties for its violation, repealing all laws in conflict therewith, and fixing a time when the same is to be in force.

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

HOUSE AMENDMENTS CONSIDERED

Senator Stoddard called up for consideration Senate concurrent resolution found on page 1091 of the Senate Journal, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate Concurrent Resolution by striking from line two (2) thereof the words and figures "one hundred dollars (\$100.00)" and inserting in lieu thereof the words and figures "two hundred dollars (\$200.00).

On the question "Shall the Senate concur?" the vote was:

Ayes, 39.

Abben	Cessna	Horchem	Rees
Adams	Darting	Johnston	Scott
Baird	Ethell	Kimberly	Shaff
Banta	Fulton	Mantz	Shane
Bergman	Gilchrist	Mead	Slosson
Bowman	Goodwin	Nelson	Snook
Brookhart	Hale	Newberry	Stoddard
Brookins	Hartman	Olson	White
Caldwell	Haskell	Perkins	Wichman
Campbell	Holdoegel	Reed	

Nays, 1.

Shinn

Absent or not voting, 9.

Browne	McIntosh	Smith	Tuck
Buser	Price	Thurston	
Dutcher	Romkey		

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Newberry moved that when the Senate adjourn at noon today that it adjourn until 9 a. m. tomorrow, and that the chairmen of the different committees confer immediately as to time of committee meetings so that there may be no conflict, which motion prevailed.

Senator Price offered the following:

MR. PRESIDENT: I request that all appropriation bills referred to the appropriations committee prior to March 20th, and now in said committee on rereference, be forthwith reported to the Senate and placed upon the calendar under rule twenty-a (20-a).

JNO. R. PRICE.

Senator Mantz raised the point of order that the request was out of order.

The President held the point well taken.

BILLS SIGNED BY THE GOVERNOR

A communication from the Governor announcing that he had, on March 28, signed Senate Files 374, 471, 504, 513, 59, 305, 419 and 397.

THIRD READING OF BILLS

On motion of Senator Goodwin Senate File No. 423, a bill for an act to compensate one Ross Seward for injuries received while an inmate of the state penitentiary at Fort Madison, Iowa, and making an appropriation therefor, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments were rejected.

Senator Wichman offered the following amendment and moved its adoption:

Amend by striking out section 1 and inserting in lieu thereof the following:

Section 1. That there is hereby appropriated out of any funds in the state treasury not otherwise appropriated, to the board of parole, for the use and benefit of Ross Seward, the sum of two thousand (\$2,000) to be paid to Ross Seward at the rate of fifty dollars (\$50.00) per month until the full amount has been paid, upon the following conditions—that he shall conduct himself as a law abiding citizen and upon his failure so to do, the said amount of fifty dollars (\$50.00) per month shall thereafter be paid to his wife, Mrs. Ross Seward, until the whole amount has been paid."

Senator Price moved as a substitute amendment the following:

Amend by striking out section 2.

Also amend by striking the words and figures "thirty-five hundred dollars (\$3,500.00)" from section 1 and inserting in lieu thereof the words and figures "two thousand dollars (\$2,000.00)".

The substitution was made.

The substitute was adopted.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

Senator Price invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 27,

Adams	Darting	Johnston	Price
Baird	Ethell	Kimberly	Rees
Banta	Fulton	Mead	Romkey
Bergman	Gilchrist	Nelson	Scott
Browne	Goodwin	Newberry	Shane
Buser	Hale	Olson	Shinn
Caldwell	Hartman	Perkins	

Nays, 18.

Abben	Cessna	Shaff	Tuck
Bowman	Haskell	Slosson	White
Brookhart	Holdoegel	Smith	Wichman
Brookins	Horchem	Snook	
Campbell	Mantz	Stoddard	

Absent or not voting, 4.

Dutcher	McIntosh	Reed	Thurston
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Shaff, House File No. 476, a bill for an act to amend section ten hundred eighty (1080), of the code, (C. C. Sec. 414), relating to election registration lists, with report of com-

mittee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Shaff moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 31.

Abben	Campbell	Horchem	Shaff
Adams	Darting	Kimberly	Shane
Baird	Fulton	Mantz	Slosson
Banta	Gilchrist	Mead	Snook
Bergman	Hale	Newberry	Stoddard
Bowman	Hartman	Olson	White
Brookins	Haskell	Perkins	Wichman
Buser	Holdoegel	Scott	

Nays, 3.

Brookhart	Price	Shinn
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Absent or not voting, 15.

Browne	Ethell	Nelson	Smith
Caldwell	Goodwin	Reed	Thurston
Cessna	Johnston	Rees	Tuck
Dutcher	McIntosh	Romkey	

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

On motion of Senator Stoddard Senate File No. 699, a bill for an act to provide for the cooperation of the state of Iowa in the movement for the creation of an outlet to the ocean for the products of the Mississippi valley by way of the Great lakes and the St. Lawrence river, and making an appropriation to meet the expense of such cooperation, a committee bill, was taken up and considered.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking section 3, the publication clause.

The amendment was adopted.

Senator Baird offered the following amendment and moved its adoption:

Amend by striking from line 3 of section 2 the words and figures five thousand dollars (\$5,000.00) and inserting in lieu thereof the words and figures two thousand dollars (\$2,000.00).

Senator Baird invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 22.

Baird	Ethell	Kimberly	Smith
Banta	Fulton	Olson	Snook
Bergman	Gilchrist	Perkins	Tuck
Brookins	Goodwin	Price	White
Campbell	Hale	Romkey	
Cessna	Johnston	Shinn	

Nays, 22.

Abben	Caldwell	Nelson	Shane
Adams	Darting	Newberry	Slosson
Bowman	Hartman	Reed	Stoddard
Brookhart	Haskell	Rees	Wichman
Browne	Horchem	Scott	
Buser	Mantz	Shaff	

Absent or not voting, 5.

Dutcher	McIntosh	Mead	Thurston
Holdoegel			

The amendment was lost.

Senator Brookhart raised the point of order that Senator Banta had already spoken on the bill.

The President held the point well taken.

The bill was read for information.

Senator Stoddard invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 21.

Abben	Campbell	Haskell	Scott
Adams	Darting	Horchem	Shaff
Bowman	Fulton	Kimberly	Shane
Brookhart	Goodwin	Newberry	Slosson
Caldwell	Hartman	Perkins	White
			Wichman

Nays, 21.

Baird	Cessna	Mantz	Shinn
Banta	Ethell	Nelson	Smith
Bergman	Gilchrist	Price	Snook
Brookins	Hale	Rees	Stoddard
Browne	Johnston	Romkey	Tuck
Buser			

Absent or not voting, 7.

Dutcher	McIntosh	Olson	Thurston
Holdoegel	Mead	Reed	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Price moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

Senator Brookhart asked for a division of the motion:

On the question, "Shall the motion to reconsider be laid on the table?" the vote was:

Ayes, 15.

Baird
Bergman
Browne
Buser

Cessna
Ethell
Gilchrist
Hale

Johnston
Nelson
Price
Rees

Romkey
Smith
Snook

Nays, 26.

Abben
Adams
Banta
Bowman
Brookhart
Caldwell
Campbell

Darting
Fulton
Goodwin
Hartman
Haskell
Horchem
Kimberly

Mantz
Newberry
Perkins
Reed
Scott
Shaff
Shane

Shinn
Slosson
Stoddard
Tuck
White

Absent or not voting, 8.

Brookins
Dutcher

Holdoegel
McIntosh

Mead
Olson

Thurston
Wichman

The motion was lost.

Senator Price raised the point of order that Senators were in the habit of rising and explaining their vote at the time they vote, which was not according to the rules.

The point of order was sustained.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 225, 308, 414, 420, 421, 427, 428, 528, 606 and 624.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LEWIS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 225, 308, 414, 420, 421, 427, 428, 528, 606, 624 and House Files Nos. 372, 375, 379, 408, 460 and 687.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports it has on this 29th day of March, 1923, sent to the Governor for his approval, Senate Files Nos. 225, 308, 414, 420, 421, 427, 428, 528, 606 and 624.

F. C. GILCHRIST, *Chairman*.

Report adopted.

MOTIONS TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which House Concurrent Resolution by Moen was concurred in and adopted by the Senate, being the resolution fixing noon of Tuesday, April 17th, as the date for adjournment sine die.

F. C. GILCHRIST.

MR. PRESIDENT: I move to reconsider the vote by which Senate File No. 379 failed to pass the Senate.

JNO. R. PRICE.

MOTION FILED

MR. PRESIDENT: I move that all motions to reconsider now on file, or hereafter filed during the session shall be acted upon within three days after the filing thereof, and a failure to so consider any such motion within such time shall be deemed a withdrawal thereof by the maker.

JNO. R. PRICE.

MOTION FILED TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which S. F. 699 failed to pass the Senate.

B. M. STODDARD.

Senator Brookhart moved that the Senate recess until 1:30 p .m.

Senator Smith raised the point of order that the matter had already been disposed by a former motion.

The President held the point well taken.

The Journal of March 28th was corrected and approved.

On motion of Senator Buser the Senate adjourned until 9 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 30, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. Geo. H. Wareham, pastor of the M. E. church of Palmer, Iowa.

On motion of Senator Banta, rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Haskell indefinitely, on account of illness on request of Senator Hale; Senator Reed for the day, on request of Senator Holdoegel; Senator Tuck for the day and tomorrow, on request of Senator Price.

INTRODUCTION OF BILLS

Senate File No. 717, by committee on public health, a bill for an act making it unlawful to place or deposit in, or to take, project, or cause to be taken or projected into any public place, anything that emits any noxious, annoying, offensive or dangerous substance.

Read first and second times and ordered on the calendar.

Senate File No. 718, by departmental affairs, a bill for an act to amend section sixteen hundred fifty-seven-n (1657-n), supplement to the code, 1913, as amended by chapter three hundred sixty-five (365), acts Thirty-eighth (38) General Assembly, relating to use of rooms in the state capitol building and to the furnishing of supplies by the executive council.

Read first and second times and ordered on the calendar.

REPORTS OF COMMITTEES

Senator Brookhart submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 485, a bill for an act to amend section fourteen hundred forty-one (1441) of the code of 1897, (C. C. 4693) and to provide for the mailing of notice of the expiration of time for redemption from

tax sale to mortgagees and lienholders whose addresses appear of record, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out section 1 and inserting in lieu thereof the following:

Section 1. That section four thousand six hundred ninety-three (4693) of the compiled code of Iowa is amended, revised and codified to read as follows:

NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

After two (2) years and nine (9) months from the date of sale, the holder of the certificate of purchase may cause to be served upon the person in possession of such real estate, and also upon the person in whose name the same is taxed, if such person resides in the county where the land is situated, in the manner provided for the service of original notices, a notice signed by him, his agent or attorney, stating the date of sale, the description of the property sold, the name of the purchaser, and that the right of redemption will expire and a deed for the land be made unless redemption is made within ninety (90) days from the completed service thereof. (C. C. 4693.)

Sec. 2. SERVICE OF NOTICE. Service may be made upon non-residents of the county by publishing the same once each week, for three (3) consecutive weeks in some newspaper of said county, or by personal service thereof elsewhere in the same manner as original notices may be served; but any such nonresident may in writing appoint a resident of the county in which such land is situated as agent, and file said appointment with the treasurer of said county, who shall forthwith record the same in a record kept in his office therefor, and index the same, after which personal service of said notice shall be made upon said agent. (C. C. 4693.)

Sec. 3. NOTICE TO LIEN HOLDERS. He shall also cause such notice to be served upon all record holders of recorded liens against said real estate, such service to be made in the manner provided for the service of original notices or by mailing by registered mail to the holder of record of such lien at his last known postoffice address a copy of such notice. (New.)

Sec. 4. COMPLETION OF SERVICE. Service shall be complete only after an affidavit has been filed with the treasurer, showing the making of the service, the manner thereof, the time when and place where made, and under whose direction the same was made; such affidavit to be made by the holder of the certificate or by his agent or attorney, and in either of the latter cases stating that such affiant is the agent or attorney, as the case may be, of the holder of such certificate; which affidavit shall be filed by the treasurer and entered upon the sale book opposite the entry of the sale, and said record or affidavit shall be presumptive evidence of the completed service of said notice, and the right of redemp-

tion shall not expire until ninety (90) days after service is complete. (C. C. 4693.)

Sec. 5. COST—FEE—REPORT. The cost of serving the notice and affidavit of publication, and the actual cost, not exceeding ten dollars (\$10.00) paid for a search of the records to ascertain the liens, if any, and the names of the owners thereof, shall be added to the amount necessary to redeem. The fee for serving the notice shall be the same as for service of an original notice, including copy fee and mileage. The treasurer shall, upon the filing of proof of service and statement of costs, forthwith report the same in writing to the auditor, who shall enter it on the sale book against the proper tract of real estate. The holder of the certificate of sale or his agent may report in writing to the county auditor the amount of costs incurred in giving such notice, and the auditor shall enter the same in the sale book as aforesaid, and no redemption shall be complete until such costs are paid. (C. C. 4693, modified.)

Also, amend by renumbering section 2 of said bill as section 6.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 637, a bill for an act to legalize the acts and proceedings in relation to drainage district number twenty-six (26), Polk county, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 434, a bill for an act to amend section eight hundred twenty-five (825) of the supplement to the code, 1913 (C. C. 3899) as amended by chapter two hundred fifty-five (255) acts of the Thirty-ninth General Assembly relating to special assessments in cities and towns, begs leave to report it has had the same under consideration and recommends House committee amendment be amended as follows, and when so amended the bill do pass:

Amend by adding after the period (.) at the end of the committee amendment the following:

"Such final assessment may also be paid in installments when the property owner or his authorized agent and the city or town council agree upon a settlement as to such assessment, if a request therefor, together with the agreement in writing, is filed with the clerk of the municipality and the treasurer of the county within thirty (30) days after such agreement is entered into."

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 292, a bill for an act to legalize an election in the consolidated independent school district of Milford township, in the county of Story, state of Iowa, on the proposition of issuing bonds and to legalize all acts and proceedings of the board of directors in respect of the issuance and sale of said bonds, begs leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Senator Price submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred House File No. 681, a bill for an act to require the labeling of mattresses and comforts, to prohibit the use of infectious, unsanitary, unhealthful, or second hand material in their manufacture, and to prohibit any person from manufacturing, selling, offering or consigning for sale, or having in his possession with intent to sell, offer for sale, or consign for sale, any mattress or comfort, unless the same be made wholly of new material and labelling as hereinafter provided, and repealing chapter four hundred six (406), acts of the Thirty-seventh General Assembly, begs leave to report it has had the same under consideration and recommends the same do pass.

JNO. R. PRICE, *Chairman*.

Ordered passed on file.

Senator Scott submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 641, a bill for an act to repeal section seventeen hundred eighty-eight (1788), supplement to the code, 1913, (C. C. sec. 5512), and section seventeen hundred eighty-nine (1789) of the code (C. C. sec. 5513), relating to assessment of life associations, and to amend certain sections, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend the title to Senate File No. 641 by striking out said title and substituting in lieu thereof the followin:

A BILL FOR

An act to amend section seventeen hundred eighty-eight (1788) of the supplement to the code, 1913, (C. C. 5512) relating to assessment life associations, and to amend section seventeen hundred eighty-nine (1789) of the code (C. C. 5513) relating to the beneficiaries of assessment life associations, and to amend section seventeen hundred ninety-eight-a (1798-a) supplement to the code 1913 as amended by chapter two hundred thirty-four (234) and chapter four hundred thirteen (413) of the acts of the Thirty-seventh (37th) General Assembly (C. C. 5523) by au-

thorizing the issuance by assessment life associations of certificates or policies of insurance on the legal reserve or level premium plan, and providing for the valuation of such policies, and for the investment and use of funds, and the deposit of securities with the commissioner of insurance.

Amend Senate File No. 641 by striking out all after the enacting clause and substituting in lieu thereof the following:

"Section 1. That section seventeen hundred eighty-eight (1788) supplement to the code, 1913, (C. C. 5512) be, and the same is hereby amended by striking out of line two (2) immediately following the word "association" the following: "and its notices of assessment".

Sec. 2. That section seventeen hundred eighty-nine (1789) of the code (C. C. 5513) be, and the same is hereby amended by adding thereto the following: "Provided that the foregoing provisions of this section shall not be applicable, except as to certificates issued prior to July fourth, nineteen hundred twenty-three (1923), to life associations organized and operating under this chapter issuing life insurance policies or certificates of membership, and any member or policy holder in any such life association shall have the right to designate his beneficiary, and unless the policy is issued without the right of revocation, shall have the right to change the beneficiary in the manner authorized by the rules, laws and regulations of the association, or as may be provided in the policy contract; and no beneficiary under any policy shall have or obtain any vested right or interest in the death benefits to be payable under said policy, until such benefits shall become due and payable after the death of the insured.

Sec. 3. That section seventeen hundred ninety-eight-a (1798-a) supplement to the code, 1913, as amended by chapter two hundred thirty-four (234) and chapter four hundred thirteen (413) of the acts of the Thirty-seventh (37th) General Assembly (C. C. 5523) be, and the same is hereby amended by adding thereto the following: Any life insurance association, other than fraternal beneficiary associations, incorporated and doing business under the provisions of this chapter, may establish a separate class of members or policy holders to whom it may issue certificates or policies of insurance on the legal reserve or level premium plan, provided that all such policies on the legal reserve or level premium plan shall be valued on a basis not lower than the valuations required for insurance companies operating on the level premium or the natural premium plan under the provisions of chapter six (6) title nine (9) of the code and amendments thereto. The net cash value of all policies in force on the legal reserve or level premium plan in any such association shall be ascertained in accordance with the basis of valuations which shall be adopted for said policies, and the amount of such ascertained valuation, and all other amounts which shall be accumulated and held in trust for the benefit of members or policy holders of any class or held for the purpose of fulfilling any contract in its policies or certificates, shall be invested in the securities provided in section eighteen hundred six (1806), supplemental supplement to the code, 1915, as amended by

chapter four hundred four (404), of the acts of the Thirty-seventh General Assembly, and deposited with the commissioner of insurance as therein provided.

An amount of the funds herein provided for, not less than the reserve valuation required to be maintained on all such policies on the legal reserve or level premium plan, shall be held at all times for the exclusive use and benefit of the class of policy holders having policies on said legal reserve or level premium plan."

R. P. SCOTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 638, a bill for an act to repeal section sixteen hundred ninety-one (1691) (C. C. 5605) of the code, and enact a substitute in lieu thereof, relating to insurance other than life, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend the title by substituting the following in lieu thereof:

A BILL FOR

An act to repeal section sixteen hundred ninety-one (1691) (C. C. 5605) of the code, and section seventeen hundred eighty-three-e (1783-e) (C. C. 5496), supplement to the code, 1913, as amended by section four (4), chapter two hundred sixty-one (261) acts of the Thirty-ninth (39th) General Assembly, and to enact a substitute in lieu thereof, relating to insurance other than life.

Amend Senate File 638 by striking out all after the enacting clause and substituting in lieu thereof the following:

"Section 1. That section sixteen hundred ninety-one (1691) (C. C. 5605) of the code, is hereby repealed and the following enacted in lieu thereof:

(a) From and after the taking effect of this act, no insurance company other than life shall be incorporated to transact business upon the stock plan with less than two hundred thousand dollars (\$200,000.00) capital stock, the entire amount of which shall be fully paid up in cash and invested as provided by law. When said company is authorized to transact an insurance business by the commissioner of insurance it shall have in its possession in cash or securities, in which said company is permitted by law to invest, surplus in a sum equal to twenty-five (25) per cent of the paid up capital stock.

(b) No increase in the amount of capital stock of any company shall be made unless the amount of such increase is fully paid up in cash and invested as provided by law. Before any increase in the capital stock shall be made such company shall have additional surplus, in cash or invested in securities authorized by law, equal to twenty-five (25) per cent of such increase.

(c) No company organized under this chapter shall issue any stock but common stock and in shares of one hundred dollars (\$100.00) par value each.

(d) No part of the capital or other funds belonging to the company shall be loaned to any officer or stockholder of the company, nor shall any loan be made with the stock of the company as collateral.

(e) Any mutual insurance association or mutual company organized and transacting business in this state at the time this act takes effect which shall deposit from its surplus one hundred thousand dollars (\$100,000.00) of securities with the commissioner of insurance, which securities shall be approved by the said commissioner, for the protection of its policy-holders in this state or elsewhere, may thereafter issue policies of insurance for cash premiums without an additional contingent premium.

Sec. 2. That section seventeen hundred eighty-three-e (1783-e) (C. C. 5496) supplement to the code, 1913, as amended by section four (4), chapter two hundred sixty-one (261) acts of the Thirty-ninth (39th) General Assembly, be, and the same is hereby repealed".

R. P. SCOTT, *Chairman*.

Ordered passed on file.

SIFTING COMMITTEE RESOLUTION

Senator Perkins called up for consideration 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 Saturday, March 31, 1923, appoint a sifting committee of seven members to which shall be referred all bills other than appropriation bills, and that beginning Monday, April 2, 1923, 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 Newberry offered the following amendment: Change the date "Monday, April 2, to Tuesday, April 10;"

Senator Perkins offered the following amendment as a substitute amendment and moved its adoption:

Amend by making the date "Thursday, April 5," instead of "Monday, April 2,".

Senator Smith invoked rule 8.

The substitution was made.

The amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by changing the final period to a comma and adding the following:

"unless the recommendation has been rejected and the bill placed on the calendar."

The amendment was adopted.

Senator Smith offered the following amendment and moved its adoption:

Amend by inserting the words "committee bills" after the word "than" in line 3.

Also amend by inserting the words "committee bills," after the words "appropriation bills" in line 5.

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by adding: "These committee bills must receive the unanimous vote of those present in the committee at the time of final action."

Senator Smith raised the point of order that the Senate had voted that committee bills should not be included in this.

The President held the point not well taken.

Senator Price raised the point of order that the Senate has no rules prescribing the method of procedure for any of the committees and this matter can only be determined by an amendment to the rules and not by an amendment to this motion.

The President held the point not well taken.

Senator Brookhart raised the point of order that the committees have adopted rules under which they report out bills.

The President held that while this was true the committees were not greater than the Senate itself and the point was therefore not well taken.

Senator Dutcher offered the following substitute amendment and moved its adoption:

Amend by adding: "Any committee bill reported after April 5th by a committee shall be upon a subject appropriate to the work of such committee and must have had an affirmative vote of at least three-fourths of the whole membership of such committee."

The substitution was made.

The amendment was adopted.

The resolution was adopted.

Senator Stoddard moved that when the Senate adjourn at noon today that it adjourn until 9 a. m. tomorrow, and that the chairmen of different committees confer immediately as to time of committee meetings, so that there may be no conflict.

Senator Brookhart moved to amend by making the hour of adjournment 3 p. m. instead of noon.

The amendment was adopted.

The motion prevailed.

HOUSE RESOLUTION CONSIDERED

Senator Price called up the following resolution:

Whereas, The recent elevator tragedy in this city again suggests the necessity of a careful inspection of all elevators; and,

Whereas, As it is common knowledge that the elevators in the Capitol building are not in perfect condition; therefore,

Be It Resolved by the House, the Senate concurring, That the executive council is hereby authorized and directed to immediately secure a careful inspection of the elevators in use in the Capitol building and report back to the General Assembly at the earliest possible moment such recommendations as they may have for improving and safeguarding the operation of these elevators.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out all after the words "Capitol Building" in line 4 of paragraph 3 and inserting in lieu thereof the following: "and at the earliest possible moment take whatever steps may be necessary for improving and safeguarding the operation of these elevators".

The amendment was adopted.

On the question "Shall the resolution be concurred in?" the vote was:

Ayes, 40.

Abben	Darting	McIntosh	Shaff
Baird	Dutcher	Mantz	Shane
Banta	Ethell	Mead	Shinn
Bowman	Gilchrist	Nelson	Slosson
Brookhart	Hale	Newberry	Smith
Brookins	Hartman	Perkins	Snook
Browne	Holdoegel	Price	Stoddard
Buser	Horchem	Rees	Thurston
Caldwell	Johnston	Romkey	White
Campbell	Kimberly	Scott	Wichman

Nays, none.

Absent or not voting, 9.

Adams	Fulton	Olson	Tuck
Bergman	Goodwin	Reed	
Cessna	Haskell		

The resolution was adopted and concurred in by the Senate.

Senator Price called up the following motion previously filed by him:

MR. PRESIDENT: I move that all motions to reconsider now on file, or hereafter filed during the session shall be acted upon within three days after the filing thereof, and a failure to so consider any such motion within such time shall be deemed a withdrawal thereof by the maker.

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. 539, a bill for an act to repeal section four (4) of chapter three hundred four (304), acts of the Thirty-ninth General Assembly and to enact substitute therefor, making an appropriation for certain purposes connected with the work of the Iowa State Dairy Association, the Iowa Beef Cattle Producers' Association and the Iowa Corn and Small Grain Growers' Association.

Also, that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 470, a bill for an act to repeal section one thousand four hundred fifteen (1415) of the supplement to the code, 1913, (C. C. 4660) relating to apportionment of tax and interest, and enacting a substitute therefor.

Also, that the House has concurred in Senate amendments to House File 353, a bill for an act to amend chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly, relating to the surfacing of roads belonging to secondary road system within cities and towns.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Buser, Senate File No. 375, a bill for an act to require the auditor of state to examine and audit the accounts and business affairs of the board of agriculture, the board of education and the highway commission and all departments and insti-

tutions under their control, and to authorize the executive council to direct and control the manner of keeping accounts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted, the following committee amendments recommended by committee on agriculture having been previously adopted.

Amend by inserting the following after the word education in line three (3) of the title: ", board of control"; also amend line four (4) of section one (1) by inserting the following after the word education: ", board of control".

Senator Buser offered the following amendment and moved its adoption:

Amend by adding as paragraph 2 of section 1 the following:

"Provided that the authority vested in the executive council of Iowa by chapter 409 acts of the Thirty-eighth General Assembly and section 1657-g supplement to the code, 1913, shall not be operative as to the Board of Control, Board of Education, Highway Commission, and the State Board of Agriculture.

The amendment was adopted.

The bill was read for information.

Senator Price raised the point of order that Senator Newberry had discussed the bill once before.

The President held the point not well taken.

Senator Mantz moved the previous question, which motion prevailed, and the previous question was ordered.

Senator Buser moved that the bill be 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, 27.

Adams	Cesspa	Mead	Slosson
Brookhart	Ethel	Nelson	Smith
Brookins	Fulton	Price	Snook
Browne	Hartman	Rees	Thurston
Buser	Johnston	Romkey	Tuck
Caldwell	Kimberly	Shane	White
Campbell	McIntosh	Shinn	

Nays, 19.

Abben	Banta	Darting	Gilchrist
Baird	Bowman	Dutcher	Goodwin

Hale
Holdoegel
Horchem

Mantz
Newberry
Olson

Perkins
Scott
Shaff

Stoddard
Wichman

Absent or not voting, 3.

Bergman

Haskell

Reed

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

Senator Buser moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Newberry, Senate File No. 401, a bill for an act to make an appropriation for the purchase of fifty thousand (50,000) copies of the railroad commissioners' official map, twenty-five (25) copies to be delivered on request to each member of the General Assembly and balance to be distributed by the railroad commissioners, 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 (,) at the end of line three (3) of section one (1), the words "and said maps shall contain thereon the primary roads of the state of Iowa in such colors as will distinguish them from the railways;"

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking out section 4.

The amendment was adopted.

The bill was read for information.

Senator Newberry moved that the reading just had be considered the third reading, which motion prevailed.

Senator Newberry invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 22.

Abben
Adams
Baird
Bowman
Brookhart
Caldwell

Darting
Dutcher
Gilchrist
Goodwin
Hartman
Holdoegel

Horchem
Kimberly
Mantz
Newberry
Olson
Perkins

Price
Scott
Stoddard
Wichman

Nays, 21.

Brookins	Hale	Rees	Slosson
Browne	Johnston	Romkey	Smith
Buser	McIntosh	Shaff	Snook
Ethell	Mead	Shane	Thurston
Fulton	Nelson	Shinn	Tuck
			White

Absent or not voting, 6.

Banta	Campbell	Haskell
Bergman	Cessna	Reed

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Shane moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion was lost.

On motion of Senator Dutcher House File No. 340 was substituted for Senate File No. 317.

On motion of Senator Dutcher, House File No. 340, a bill for an act to accept the provisions and benefits of an act of congress, approved on the twenty-third day of November nineteen hundred twenty-one, relating to appropriations to the several states for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes; to designate the state agency; to provide for the proper custody and administration of funds received by the state from such appropriations; and to make an appropriation therefor, having been substituted for Senate File No. 317, was taken up and considered.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking out beginning after the word "appropriated" in line 2 of section 6 the following: "the sum of twenty-one thousand two hundred thirteen dollars and sixty cents (\$21,213.60) which shall be available immediately upon the passage of this act; and".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 15.

Brookhart	Hartman	Price	Shinn
Browne	Johnston	Rees	Snook
Buser	McIntosh	Romkey	Tuck
Ethell	Nelson	Shane	

Nays, 28.

Abben	Banta	Caldwell	Dutcher
Adams	Bowman	Campbell	Fulton
Baird	Brookins	Darting	Gilchrist

Hale	Mantz	Perkins	Stoddard
Holdoegel	Mead	Scott	Thurston
Horchem	Newberry	Shaff	White
Kimberly	Olson	Slosson	Wichman

Absent or not voting, 6.

Bergman	Goodwin	Reed
Cessna	Haskell	Smith

The amendment was lost.

Senator Holdoegel raised the point of order that the matter of congressional appropriations was not under discussion.

The President held there is considerable latitude in discussion allowed in this question:

Senator Abben moved the previous question, which motion prevailed, and the previous question was ordered.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Abben	Darting	Johnston	Romkey
Adams	Dutcher	Kimberly	Scott
Baird	Fulton	Mantz	Shaff
Banta	Gilchrist	Mead	Shane
Bowman	Goodwin	Newberry	Slosson
Brookins	Hartman	Olson	Stoddard
Caldwell	Holdoegel	Perkins	Thurston
Campbell	Horchem	Rees	White
			Wichman

Nays, 11.

Browne	Hale	Price	Snook
Cessna	McIntosh	Shinn	Tuck
Ethell	Nelson	Smith	

Absent or not voting, 5.

Bergman	Buser	Haskell
Brookhart		Reed

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

EXPLANATION OF VOTE

I vote "aye" on House File No. 340 because this appropriation is, in itself, eminently just and proper for the promotion of the welfare of maternity and infancy within the state of Iowa, and wholly aside from the federal appropriation.

I am, however, opposed on principle to the ever increasing attempts of the federal congress and of the federal government to assume control of

the local and police affairs of state governments, and to direct the administration of these affairs from Washington.

Furthermore, I have no illusions on the subject of so-called "gifts" from the federal congress to the people of the state of Iowa. We are simply receiving back our own money under the guise of federal appropriations, and every dollar so received has suffered much attrition in the process of travelling to Washington and traveling back home again. There is no economy in this process.

F. C. GILCHRIST.

On motion of Senator Price, the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

By unanimous consent, Senator Dutcher withdrew Senate File No. 317 from further consideration.

By unanimous consent, Senator Kimberly withdrew Senate File No. 500 from further consideration.

REPORTS OF COMMITTEES

Senator Holdoegel submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 548, a bill for an act to amend chapter 237 of the laws of the Thirty-eighth General Assembly, and to regulate and prescribe the manner of giving notice, and requiring bids for road projects, which shall be divided into sections, the cost of each section not to exceed twenty thousand (\$20,000) dollars, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking out of line six (6) the words "any project costing" and by substituting therefor the words "when the estimated cost of any project shall be."

Also amend by striking out the words and figures "twenty thousand (\$20,000) dollars" in lines six (6) and ten (10) and by substituting the words and figures "thirty thousand (\$30,000) dollars."

Also amend by adding after the word "dollars" in line seven (7) the words "the same".

Also amend by striking out the last two words of section 1 and by substituting the following therefor: "bid upon separately, and if the aggregate amount of bids upon separate sections is in excess of a bid or bids upon the whole project, the work may be let in one bid in the discretion of the board."

Also amend by striking out the period at the end of section one (1) and by substituting a semicolon therefor, and by adding the following: "the division into sections shall not apply to paving projects."

Also amend the title by striking out the words and figures "twenty thousand (\$20,000) dollars" in line five (5) thereof and by substituting the words and figures "thirty thousand (\$30,000) dollars."

P. C. HOLDOEGEL, *Chairman*.

Ordered passed on file.

Senator Cessna submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to whom was referred Senate File No. 615, a bill for an act to amend section six (6) of chapter three hundred ninety-two (392) acts of the Thirty-eighth General Assembly (C. C. 1219), relating to the board of engineering examiners, beg leave to report it has had the same under consideration and recommends the same do pass.

F. C. CESSNA, *Chairman*.

Ordered passed on file.

Senator Adams submitted the following report:

MR. PRESIDENT: Your committee on railroads to whom was referred Senate File No. 551, a bill for an act prescribing presumption and burden of proof in actions for damages against common carriers relating to transportation of livestock, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. C. ADAMS, *Chairman*.

The report was adopted and the bill indefinitely postponed.

By unanimous consent, Senator Brookhart withdrew Senate File No. 680 from further consideration.

On motion of Senator Kimberly, House File No. 327, a bill for an act to amend section ten hundred and three (1003) supplement to the code, 1913, (C. C. 4421) relating to tax levies in cities operating under special charter, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Kimberly moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben
Adams
Balrd

Banta
Bowman
Brookhart

Brookins
Browne
Buser

Caldwell
Dutcher
Ethell

Fulton	Johnston	Rees	Snook
Gilchrist	Kimberly	Romkey	Stoddard
Goodwin	McIntosh	Scott	Thurston
Hale	Mantz	Shaff	Wichman
Hartman	Newberry	Shane	
Holdoegel	Olson	Shinn	
Horchem	Perkins	Slosson	

Nays, none.

Absent or not voting, 12.

Bergman	Darting	Nelson	Smith
Campbell	Haskell	Price	Tuck
Cessna	Mead	Reed	White

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

On motion of Senator Baird, Senate File No. 582, a bill for an act to amend section ten (10) of chapter three hundred fifty-two (352) acts of the Thirty-eighth General Assembly (C. C. 6326) relating to the recording and filing of instruments affecting the title to personal property, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Abben	Dutcher	Mantz	Shane
Adams	Gilchrist	Nelson	Slosson
Baird	Goodwin	Newberry	Smith
Banta	Hale	Olson	Snook
Bowman	Hartman	Perkins	Stoddard
Brookhart	Holdoegel	Price	Thurston
Brookins	Horchem	Rees	White
Caldwell	Johnston	Romkey	Wichman
Campbell	Kimberly	Scott	
Cessna	McIntosh	Shaff	

Nays, none.

Absent or not voting, 11.

Bergman	Darting	Haskell	Shinn
Browne	Ethell	Mead	Tuck
Buser	Fulton	Reed	

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

On request of Senator Baird, Senate File No. 376 was ordered to the foot of the calendar.

On motion of Senator Buser, Senate File No. 348, a bill for an act to amend the law as it appears in section ten (10) of chapter two hundred thirty-seven (237) acts of the 38th General Assembly relating to the survey of primary road improvement projects, was taken up and considered, having been ordered returned by the committee on highways.

The bill was read for information.

Senator Buser moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 20.

Brookhart	Ethell	McIntosh	Romkey
Browne	Fulton	Mead	Shinn
Buser	Hartman	Nelson	Smith
Campbell	Johnston	Price	Snook
Cessna	Kimberly	Rees	Thurston

Nays, 24.

Abben	Caldwell	Horchem	Shaff
Adams	Dutcher	Mantz	Shane
Baird	Gilchrist	Newberry	Slosson
Banta	Goodwin	Olson	Stoddard
Bowman	Hale	Perkins	White
Brookins	Holdoegeel	Scott	Wichman

Absent or not voting, 5.

Bergman	Haskell	Reed	Tuck
Darting			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator McIntosh, Senate File No. 299, a bill for an act to amend sections ten hundred eighty-seven-a nineteen (1087-a19), ten hundred eighty-seven-a twenty-one (1087-a21), ten hundred eighty-seven-a twenty-two (1087-a22), ten hundred eighty-seven-a twenty-five (1087-a25), ten hundred eighty-seven-a twenty-six (1087-a26), and ten hundred eighty-seven-a twenty-seven (1087-a27) of the supplement to the code, 1913 (C. C. sec. 380-383-384-388-389-390), so as to repeal the provisions thereof requiring candidates for public office to have thirty-five per centum of the votes cast before they can be nominated, was taken up and considered, having been ordered returned by the committee.

Senator McIntosh offered the following amendment and moved its adoption:

Amend as follows:

That the title to the bill as published be amended by striking out all that part following the comma (,) following the parenthesis in line six (6) of said title and by substituting in lieu thereof the following: "relating to the per centum of votes required for the nomination of candidates for public office at primary elections".

Also, by striking out all of that part following the enacting clause and by substituting in lieu thereof the following:

"Section 1. That section ten hundred eighty-seven-a nineteen (1087-a19) of the supplement to the code, 1913, (C. C. section 380) be and the same is hereby amended by striking from line twenty-four (24) the word "thirty-five" and by substituting in lieu thereof the word "twenty-five". Also, that section ten hundred eighty-seven-a twenty-one (1087-a21) of the supplement to the code, 1913 (C. C. section 383) be and the same is hereby amended by striking from line eleven (11) the word "thirty-five" and by substituting in lieu thereof the word "twenty-five". Also that section ten hundred eighty-seven-a twenty-two (1087-a22) of the supplement to the code, 1913 (C. C. section 384) be and the same is hereby amended by striking from lines sixteen and twenty-six (16 and 26) of said section the word "thirty-five", and by substituting in lieu thereof the word "twenty-five". Also, that section ten hundred eighty-seven-a twenty-five (1087-a25) of the supplement to the code, 1913, (C. C. section 388) be and the same is hereby amended by striking from lines fifty and fifty-seven (50 and 57) the word "thirty-five" and by substituting in lieu thereof the word "twenty-five". Also, that section ten hundred eighty-seven-a twenty-six (1087-a26) of the supplement to the code, 1913 (C. C. section 389) be and the same is hereby amended by striking from lines twenty-three and thirty-four (23 and 34) the word "thirty-five" and by substituting in lieu thereof the word "twenty-five". Also, that section ten hundred eighty-seven-a twenty-seven (1087-a27) of the supplement to the code, 1913, (C. C. section 390) be and the same is hereby amended by striking from line eighteen (18) thereof the word "thirty-five" and by substituting in lieu thereof the word "twenty-five"."

The amendment was adopted.

The bill was read for information.

Senator McIntosh moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 15.

Bowman
Brookhart
Browne
Buser

Ethell
Johnston
Kimberly
McIntosh

Nelson
Price
Romkey
Shane

Shinn
Snook
White

Nays, 27.

Abben
Adams
Baird
Banta

Brookins
Caldwell
Cessna
Dutcher

Fulton
Gilchrist
Goodwin
Hale

Hartman
Holdoegel
Horchem
Mantz

Mead
Newberry
Olson

Perkins
Rees
Scott

Slosson
Smith
Stoddard

Thurston
Wichman

Absent or not voting, 7.

Bergman
Campbell

Darting
Haskell

Reed
Shaff

Tuck

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On the request of Senator Bowman Senate File No. 266 was ordered to the foot of the calendar.

On motion of Senator Cessna, House File No. 297, a bill for an act to repeal the law as it appears in chapter one hundred seventy-seven (177) of the laws of the Thirty-ninth (39th) General Assembly, relating to inventory by public officers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Abben
Banta
Brookins
Browne
Buser
Cessna
Dutcher

Ethell
Fulton
Hale
Hartman
Holdoegel
Horchem
McIntosh

Mantz
Mead
Newberry
Olson
Perkins
Price
Rees

Romkey
Shane
Smith
Snook
Stoddard
Wichman

Nays, 11.

Adams
Brookhart
Caldwell

Gilchrist
Goodwin
Kimberly

Scott
Shinn
Slosson

Thurston
White

Absent or not voting, 11.

Baird
Bergman
Bowman

Campbell
Darting
Haskell

Johnston
Nelson
Reed

Shaff
Tuck

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

On motion of Senator Buser, Senate File No. 636, a bill for an act providing that expense incurred by county officials attending state conventions of county officials shall not be paid from county funds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Buser moved that the bill be 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, 31.

Abben	Cessna	Kimberly	Shane
Adams	Ethell	McIntosh	Shinn
Baird	Fulton	Mantz	Smith
Bergman	Gilchrist	Mead	Snook
Brookhart	Goodwin	Nelson	Thurston
Browne	Hale	Olson	White
Buser	Hartman	Price	Wichman
Campbell	Johnston	Romkey	

Nays, 13.

Banta	Dutcher	Newberry	Scott
Bowman	Holdoegel	Perkins	Slosson
Brookins	Horchem	Rees	Stoddard
Caldwell			

Absent or not voting, 5.

Darting	Reed	Shaff	Tuck
Haskell			

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

Senator Buser moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

AMENDMENT FILED

I move to amend Senate File No. 361 by adding to section 8 thereof the following:

Nothing in this act shall be construed as repealing section 754-a, supplemental supplement of the code, 1915, nor chapter 115, acts of the Thirty-ninth General Assembly, or as taking from cities and towns, including cities under the commission form of government and cities under special charter, any of the powers they now possess over the classes of vehicles for hire herein described. Motor vehicles operating or proposing to operate, between cities and towns, the corporate limits of which are not to exceed one mile apart shall be considered as coming within the purview of the acts described in this section.

HARRY C. WHITE.

On motion of Senator Goodwin House File No. 315 was rereferred to the committee on drainage.

The Journal of March 29th was corrected and approved.

On motion of Senator Stoddard the Senate adjourned until 9 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, March 31, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. E. C. Davis, pastor of the Christian church of Sloan, Iowa.

On motion of Senator McIntosh rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Johnston for the day on request of Senator Hale; Senator Reed for the day on request of Senator Hale; Senator Shinn for the day on request of Senator Caldwell; Senator Romkey for the day on request of Senator Price; Senator Bergman for the day on request of Senator Mantz; Senator Dutcher for the day on request of Senator Mantz; Senator Nelson for the day on request of Senator Wichman.

PETITIONS AND MEMORIALS

Senator Wichman presented petitions from the Modern Woodmen of Burdette and Goodell protesting House File 544 relative to fraternal beneficiary societies. Referred to committee on insurance.

Senator Wichman also presented a petition from voters of the Forty-third District protesting the proposed tax on tobacco. Referred to committee on ways and means.

INTRODUCTION OF BILLS

Senate File No. 719, by committee on claims, a bill for an act to compensate L. M. Martin for expenses incurred in connection with his duties as a member of the State Board of Engineering Examiners and making an appropriation to pay said compensation.

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File No. 453, a bill for an act to make an appropriation for the completion of the hospital and the plant of the college of medicine of the State University of Iowa and for the equipping of the same, under the direction of the Iowa State Board of Education.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 137, a bill for an act to amend, revise, and codify sections thirty-one hundred sixty-one (3161), thirty-one hundred sixty-three (3163), thirty-one hundred seventy-seven (3177), thirty-one hundred seventy-nine (3179), thirty-one hundred ninety-one (3191), thirty-one hundred ninety-four (3194), thirty-two hundred eight (3208), thirty-two hundred ten (3210), thirty-two hundred thirty-one (3231), sixty-nine hundred eighty-six (6986) and sixty-nine hundred eighty-seven (6987) of the compiled code of Iowa, and sections twenty-five hundred six (2506), thirty-one hundred sixty-two (3162), thirty-one hundred sixty-four (3164), thirty-one hundred seventy-six (3176), thirty-one hundred seventy-eight (3178), thirty-one hundred seventy-eight-a one (3178-a1), thirty-one hundred eighty-seven (3187), thirty-one hundred eighty-eight (3188), thirty-two hundred nine (3209), thirty-two hundred eleven (3211), sixty-nine hundred eighty-three (6983) and sixty-nine hundred eighty-five (6985) of the supplement to said code, relating to compensation of county officers, appointment and compensation of their deputies and the collection and accounting of fees.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 662, a bill for an act to amend section six hundred ninety-four-b (694-b), supplement to the code, 1913, (C. C. 3663), relating to payment of dues in the league of Iowa municipalities.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 662, a bill for an act to amend section six hundred ninety-four-b (694-b), supplement to the code, 1913, (C. C. 3663), relating to payment of dues in the league of Iowa municipalities.

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

House File No. 137, by committee on code revision, a bill for an act to amend, revise, and codify sections thirty-one hundred sixty-one (3161), thirty-one hundred sixty-three (3163), thirty-

one hundred seventy-seven (3177), thirty-one hundred seventy-nine (3179), thirty-one hundred ninety-one (3191), thirty-one hundred ninety-four (3194), thirty-two hundred eight (3208), thirty-two hundred ten (3210), thirty-two hundred thirty-one (3231), sixty-nine hundred eighty-six (6986) and sixty-nine hundred eighty-seven (6987) of the compiled code of Iowa, and sections twenty-five hundred six (2506), thirty-one hundred sixty-two (3162), thirty-one hundred sixty-four (3164), thirty-one hundred seventy-six (3176), thirty-one hundred seventy-eight (3178), thirty-one hundred seventy-eight-a one (3178-a1), thirty-one hundred eighty-seven (3187), thirty-one hundred eighty-eight (3188), thirty-two hundred nine (3209), thirty-two hundred eleven (3211), sixty-nine hundred eighty-three (6983) and sixty-nine hundred eighty-five (6985) of the supplement to said code, relating to compensation of county officers, appointment and compensation of their deputies and the collection and accounting of fees.

Read first and second time and referred to committee on county and township affairs.

REPORTS OF COMMITTEES

Senator Baird submitted the following report:

MR. PRESIDENT: Your committee on claims to which was referred Senate File No. 446, a bill for an act to compensate George A. Gardner for injuries received while assisting in showing a dairy herd of the Mt. Pleasant State Hospital at the Jefferson County Fair, and for loss and damages resulting therefrom, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass, after being referred to the committee on appropriations:

Amend by adding as section two (2) of the bill the following: That Senator C. J. Fulton is hereby appointed trustee of the fund and that he is authorized and directed to expend the money in such manner as in his judgment shall be to the best interests of the claimant.

W. S. BAIRD, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Senator Buser submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred House File No. 495, a bill for an act to repeal section twenty-five (25) of chapter one hundred seventy-three (173), laws of the Thirty-ninth General Assembly, (S. C. C. 1921, sec. 1783-a25), also to repeal sections eleven (11), twelve (12), fifteen (15), sixteen (16), seventeen (17) and eighteen (18) of chapter one hundred seventy-three (173), laws of the Thirty-ninth

General Assembly, (S. C. C. 1921, secs. 1783-a11, 1783-a12, 1783-a15, 1783-a16, 1783-a17, and 1783-a18), and enact substitutes therefor; and to amend section twenty-two (22) of chapter one hundred seventy-three (173), laws of the Thirty-ninth General Assembly, (Supplement to the compiled code, 1921, sec. 1783-a22) relating to the manufacture, distribution and use of hog cholera virus and anti-hog cholera serum; and to provide for the regulation of the manufacture, distribution and use of hog cholera virus, and anti-hog cholera serum, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

By striking out of line one (1) in section nineteen (19) the words "State College" and inserting in lieu thereof the words "The Iowa State College of Agriculture and Mechanic Arts,".

J. D. BUSER, *Chairman*.

Ordered passed on file.

Senator Newberry submitted the following report:

MR. PRESIDENT: Your committee on public schools to whom was referred Senate File No. 444, a bill for an act to amend section two thousand eight hundred twenty-three-a (2823-a), supplement to the code, 1913 (C. C. 2663), relating to compulsory education, beg leave to report it has had the same under consideration and recommends the same do pass.

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Senator Adams submitted the following report:

MR. PRESIDENT: Your committee on railroads to whom was referred Senate File No. 425, a bill for an act to provide that the railroad companies in this state, where a dangerous grade crossing is eliminated or menace removed by a change in the highway, shall pay the just and reasonable portion of the expense, as determined by the railroad commissioners, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. C. ADAMS, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Senator Caldwell submitted the following report:

MR. PRESIDENT: Your committee on drainage to which was referred House File No. 548, a bill for an act to amend the law as it appears in section 1989-a26 of the supplement to the code, 1913, as amended by chapter 344 acts of the Thirty-seventh General Assembly, and chapters 64 and 271 acts of the Thirty-eighth General Assembly (C. C. 4874) relating to the collection of special assessments in drainage districts, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking out all of the bill following the enacting clause and by inserting in lieu thereof the following:

Section 1. Whenever any board of supervisors shall have heretofore fixed, or shall hereafter fix, the amount that shall be levied and collected in each year for drainage improvements and whenever it has also issued, or shall hereafter issue, drainage bonds as provided in section 1989-a27 of the supplement to the code, 1913, as amended, or improvement certificates as provided in section 1989-a26, supplement to the code, 1913, as amended, then the county treasurer shall, at the March semi-annual paying date, require only the payment of one-half of the installment which is collectible during the year from the tax payer; provided, however, that in case such one-half is not sufficient to meet the interest on, and the principal of, that portion of said bonds or certificates which mature before the time shall expire for the payment of the second half of ordinary taxes, then the county treasurer shall at the time of the payment of the first half of ordinary taxes, collect a sufficient portion of the remaining half in order to meet such payments of such portions of bonds or certificates, including both principal and interest; and the balance of the amount collectible in each year shall be paid at the regular time for the payment of the second installment of ordinary taxes, and without penalty.

W. A. CALDWELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on drainage to which was referred Senate File No. 457, a bill for an act to amend section 1978 of the code of Iowa, 1897 C. C. sec. 4817 relating to levees, drains and water courses, begs leave to report it has had the same under consideration and recommends the same do pass.

W. A. CALDWELL, *Chairman*.

Ordered passed on file.

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to whom was referred Senate File No. 330, a bill for an act to provide for the training of teachers for the elementary schools in private colleges under the direction of the state board of education, and making an appropriation therefor, beg leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Senator Price raised the point of order that no appropriation bill can be considered at this session which had been referred to the appropriation committee prior to March 20th and not reported until after that date.

The president held the point not well taken.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 354, a bill for an act making appropriation for the erection, repair and improvement of buildings, etc., for state institutions, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking from lines three (3) and four (4) of section one (1) of the printed bill, the words and figures "one million six hundred sixty-four thousand four hundred dollars (\$1,664,400)" and substitute in lieu thereof the words and figures "one million five hundred fifty-four thousand four hundred dollars (\$1,554,400.00)".

Also amend by striking from section eleven (11), line five (5), the following: "for building for inebriates \$50,000."

Also by striking from line nine (9), section thirteen (13) the figures "175,000.00", the substituting in lieu thereof the figures "150,000.00".

Also by striking from line nine (9) section fifteen (15) the figures "150,000.00" and substituting in lieu thereof \$125,000."

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Senator Price raised the same point of order in reference to this bill as to Senate File No. 330.

The president made the same ruling.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 458, a bill for an act to make 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, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by adding at the end of section one (1) the following: "provided, however, that the appropriation for soldiers' tuition in the State University, provided for in said chapter 287, shall be reduced from \$60,000 to \$35,000 per annum during the next biennium, and that the soldiers' tuition at the Iowa State College of Agriculture and Mechanic Arts should be reduced from \$60,000 to \$35,000 per annum for the next biennium".

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Senator Price raised the same point of order in reference to this bill as to Senate File No. 330.

The President made the same ruling.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 498, a bill for an act to encourage draft horse industry, and to aid in providing instruction in practical and scientific methods, and making an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Senator Price raised the same point of order in reference to this bill as to Senate File No. 330.

The President made the same ruling.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 669, a bill for an act authorizing the Governor and Attorney General to act as a committee to protect the interests of the state and people against "Pittsburgh Plus" and making an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Senator Price raised the same point of order in reference to this bill as to Senate File No. 330.

The President made the same ruling.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 472, a bill for an act to repeal chapter 17 of chapter 287, acts of the Thirty-eighth General Assembly, as amended by chapter 302, acts of the Thirty-ninth General Assembly, (C. C. 1734) and to enact a substitute therefor, relative to the appropriation for the enforcement of the act to eradicate contagious and infectious diseases among domestic animals, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Senator Price raised the same point of order in reference to this bill as to Senate File No. 330.

The President made the same ruling.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 284, a bill for an act to pension survivors of

the frontier guards of Mitchells Cavalry, providing the amount of such pension, the method of payment, and making an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 452, a bill for an act making an appropriation to defray the expenses incurred by the Fort Dodge, Des Moines & Southern Railroad Company made necessary in clearing its tracks on account of the slide which occurred at the south end of the Capitol grounds extension in the spring of 1920, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out of lines two (2) and three (3) section one (1), the words and figures nine thousand four hundred eight dollars and six cents (\$9409.06), and inserting in lieu thereof the words and figures six thousand twenty-nine dollars and sixty-two cents (\$6,029.62).

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 540, a bill for an act to reimburse and compensate Carl F. Schatz and Laura Schatz on account of the death of their son and making an appropriation to pay the same, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

"Amend by striking out the figures \$5,400 in line two of section one (1) and inserting in lieu thereof the words and figures four thousand dollars (\$4,000)."

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 536, a bill for an act to make an appropriation for the purpose of indemnifying Joe Banoch for damages occasioned by reason of sustaining a loss of three fingers while engaged in performing his duties in the state reformatory at Anamosa, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking from line two (2) section one (1) the words and

figures one thousand dollars (\$1,000) and inserting in lieu thereof the words and figures eight hundred fifty-five dollars (\$855.00).

B. M. STODDARD, *Chairman*.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files Nos. 285, 353 and 498, and Senate Files Nos. 539 and 621.

F. C. GILCHRIST, *Chairman Senate Committee*.

C. F. LETTS, *Chairman House Committee*.

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had on March 29th signed Senate Files Nos. 421, 624, 308, 606, 528, 428, 427, 414, 420, 225.

By unanimous consent Senator Olson withdrew Senate File No. 285 from further consideration.

THIRD READING OF BILLS

On motion of Senator Baird, House File No. 424, a bill for an act to amend and revise section two hundred fifty-four-a20 (254-a20), supplement to the code, 1913, as amended by chapter one hundred seven (107), acts of the Thirty-eighth (38) General Assembly, chapter fifty-one (51), acts of the Thirty-ninth (39) General Assembly and chapter two hundred fifty-two (252), acts of the Thirty-ninth General Assembly, (S. C. C. sec. 2104), relating to financial aid to widowed mothers of dependent or neglected children, 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 last word in line 11 and first word in line 12 of section 1, "six months" and insert in lieu thereof the words "one year".

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking out the last 8 words thereof as follows: "ceased

to be a resident of the county" and inserting in lieu thereof the following "after she has acquired legal residence in another county or after she has ceased to reside in the state".

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption.

Amend by adding after the comma after the word "child" in line 19 of section 1 the following: "not to exceed the sum of two dollars and fifty cents (\$2.50) per week for each child under the age of sixteen (16) years."

The amendment was adopted.

The bill was read for information.

Senator Baird moved that the reading just had be considered the third reading, which motion prevailed.

Senator Baird invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 25.

Abben	Ethell	Horchem	Shaff
Adams	Fulton	McIntosh	Shane
Baird	Gilchrist	Mantz	Smith
Brookhart	Goodwin	Olson	Stoddard
Brookins	Hale	Perkins	Thurston
Browne	Holdoegel	Rees	White
			Wichman

Nays, 13.

Banta	Campbell	Newberry	Slosson
Bowman	Hartman	Price	Snook
Buser	Kimberly	Scott	
Caldwell	Mead		

Absent or not voting, 11.

Bergman	Dutcher	Nelson	Shinn
Cessna	Haskell	Reed	Tuck
Darting	Johnston	Romkey	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Bowman, Senate File No. 585, a bill for an act to amend chapter forty-one (41), of the acts of the Thirty-eighth (38) General Assembly (C. C. sec. 2091) relating to the salaries of probation officers in counties of thirty-five thousand or more in population, was taken up and considered, the report of the committee recommending indefinite postponement having been rejected.

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

Senator Bowman invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 23.

Abben	Gilchrist	McIntosh	Scott
Adams	Goodwin	Mantz	Shaff
Baird	Hartman	Mead	Stoddard
Banta	Holdoegel	Newberry	White
Brookins	Horchem	Olson	Wichman
Caldwell	Kimberly	Pe kins	

Nays, 13.

Bowman	Ethell	Rees	Thurston
Brookhart	Fulton	Slosson	
Browne	Hale	Smith	
Buser	Price	Snook	

Absent or not voting, 13.

Bergman	Dutcher	Reed	Tuck
Campbell	Haskell	Romkey	
Cessna	Johnston	Shane	
Darting	Nelson	Shinn	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Thurston Senate File No. 678, a bill for an act to amend section 1528, supplement to the code of 1913 (C. C. 2970) relating to working roads, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Thurston offered the following amendment and moved its adoption:

Amend Senate File 678 by adding the following sections:

Sec. 2. Amend section 1566-a (C. C. 2997) supplement to the code of 1913, by inserting in line three (3) after the word "first" the following: "Wednesday after the first".

Sec. 3. Amend section 1527-s16, supplemental supplement of 1915 (C. C. 2996), by striking out of line eighteen (18) the word "day" and by substituting therefor the words "Wednesday after the first Monday"; also amend said section by substituting a period (.) for the comma (,) after the word "auditor" in line nineteen (19) thereof and by striking out the remainder of said section.

Also amend the title by inserting a semicolon (;) after enclosure mark following numerals "1970" and by adding the following: "Also to amend section 1566-a, code of 1913 (C. C. 2997); also to amend section 1527-s16, supplemental supplement of 1915 (C. C. 2996)".

The amendment was adopted.

By unanimous consent on request of Senator Thurston the word and figures "eighteen (18)" were stricken from line 3 of section 3 and the word and figures "seventeen (17)" were inserted in lieu thereof.

The bill was read for information.

Senator Thurston moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Adams	Campbell	Kimberly	Shane
Baird	Ethell	Mantz	Slosson
Brookhart	Fulton	Mead	Smith
Brookins	Goodwin	Olson	Snook
Browne	Hale	Perkins	Stoddard
Buser	Hartman	Price	White
Caldwell	Horchem	Scott	Wichman

Nays, 1.

Abben

Absent or not voting, 20.

Banta	Dutcher	McIntosh	Romkey
Bergman	Gilchrist	Nelson	Shaff
Bowman	Haskell	Newberry	Shinn
Cessna	Holdoegel	Reed	Thurston
Darting	Johnston	Rees	Tuck

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

On motion of Senator Banta Senate File No. 5, a bill for an act to amend, revise, and codify sections fifty-six (56), fifty-seven (57), fifty-nine (59), and sixty-one (61) of the compiled code of Iowa, relating to the publication of the acts of the general assembly, 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 period (.) at the end of section six (6) and adding the words "but in no case at less than cost."

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

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Abben	Brookhart	Buser	Gilchrist
Adams	Brookins	Caldwell	Goodwin
Banta	Browne	Fulton	Hale

Hartman	Mead	Rees	Smith
Holdoegel	Newberry	Scott	Snook
Horchem	Olson	Shaff	Stoddard
Kimberly	Perkins	Shane	White
Mantz	Price	Slosson	Wichman

Nays, none.

Absent or not voting, 17.

Baird	Darting	McIntosh	Thurston
Bergman	Dutcher	Nelson	Tuck
Bowman	Ethell	Reed	
Campbell	Haskell	Ronkey	
Cessna	Johnston	Shinn	

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

On motion of Senator Price, House File No. 425, a bill for an act to regulate the disinterment of dead bodies of human beings, and opening of caskets containing the same or autopsy thereon, without a permit therefor and providing penalty for the violation of this act, 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 section one (1) and inserting in lieu thereof the following:

"Section 1. It shall be unlawful for any person, firm, corporation or committee to disinter the dead body of any human being, or to open the casket or coffin of such dead body after burial, or to permit an autopsy thereon, or to aid, assist, encourage or to incite any of the foregoing prohibited acts, except upon written application to the state board of health of the state of Iowa or the district court of the county in which the body is buried, and the procuring of a written permit for such disinterment."

Senator Shane offered the following amendment and moved its adoption:

Amend by inserting the words "in the penitentiary" in line 3 of section 5 following the word "imprisonment".

The amendment was adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Abben	Cessna	McIntosh	Shane
Adams	Ethell	Mantz	Slosson
Baird	Fulton	Mead	Smith
Banta	Gilchrist	Newberry	Snook
Bowman	Goodwin	Olson	Stoddard
Brookhart	Hale	Perkins	Thurston
Brookins	Hartman	Price	White
Browne	Holdoegel	Rees	Wichman
Buser	Horchem	Scott	
Campbell	Kimberly	Shaff	

Nays, none.

Absent or not voting, 11.

Bergman	Dutcher	Nelson	Shinn
Caldwell	Haskell	Reed	Tuck
Darting	Johnston	Romkey	

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

On motion of Senator Mantz Senate File No. 631, a bill for an act to amend title nine (IX) chapter five (V), of the code, (C. C. title 28, chapter 8), relating to venue of actions to collect assessments levied to pay losses by hailstorms, 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 the words "where the loss occurred or" in lines three (3) and four (4) of paragraph two (2) in section one (1).

By unanimous consent on request of Senator Mantz the figures "28" were stricken from the title and from line 2 of the bill and the figures "18" were inserted in lieu thereof.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Ethell	McIntosh	Shaff
Adams	Fulton	Mantz	Shane
Baird	Gilchrist	Mead	Slosson
Banta	Goodwin	Newberry	Smith
Bowman	Hale	Olson	Snook
Brookhart	Hartman	Perkins	Stoddard
Brookins	Holdoegel	Price	Thurston
Browne	Horchem	Rees	White
Buser	Kimberly	Scott	Wichman

Nays, none.

Absent or not voting, 13.

Bergman
Caldwell
Campbell
Cessna

Darting
Dutcher
Haskell

Johnston
Nelson
Reed

Romkey
Shinn
Tuck

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

By unanimous consent on request of Senator Price the rules were suspended and all motions to reconsider that would have to be taken up today, were deferred until Tuesday.

On motion of Senator Wichman House File No. 120, a bill for an act to amend, revise, and codify chapter four (4) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to state road districts, and the improvement and maintenance 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 words "state highway engineer" in line one (1) of paragraph two (2) thereof and inserting the words "chief engineer of the state highway commission".

That the word ", town," be inserted after the word "city" in line one (1) of section four (4), also add the words "special charter city" after the word "town".

By striking out the words "state highway engineer" in lines four (4) and five (5) of section five (5) and inserting the words "chief engineer of the state highway commission" in lieu thereof.

By inserting the following immediately after section five (5): "That section three thousand-a one (300-a1), supplement to the compiled code is amended, revised, and codified to read as follows:"

Also, amend the title by substituting the following:

"An act to amend, revise, and codify chapter four (4) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, and sections three thousand-a one (3000-a1) and four thousand thirty-six-a one (4036-a1) of the supplement to the compiled code of Iowa, relating to state road districts, and the improvement and maintenance thereof, and to poll taxes in cities, towns, and townships."

Senator Wichman offered the following amendment and moved adoption:

Amend House File No. 120 by adding thereto the following:

"Sec. 8. Publication Clause. 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 Wichman moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Wichman invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 26.

Abben	Hale	Mead	Slosson
Adams	Hartman	Newberry	Smith
Banta	Holdoegel	Olson	Stoddard
Bowman	Horchem	Perkins	White
Caldwell	Kimberly	Scott	Wichman
Gilchrist	McIntosh	Shaff	
Goodwin	Mantz	Shane	

Nays, 10.

Baird	Buser	Price	Thurston
Brookins	Ethell	Rees	
Browne	Fulton	Snook	

Absent or not voting, 13.

Bergman	Darting	Nelson	Tuck
Brookhart	Dutcher	Reed	
Campbell	Haskell	Romkey	
Cessna	Johnston	Shinn	

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

Senator Wichman moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Adams, House File No. 674, a bill for an act to legalize an ordinance of the incorporated town of Dolliver, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Adams moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Bowman	Caldwell	Goodwin
Adams	Brookhart	Ethell	Hale
Baird	Brookins	Fulton	Hartman
Banta	Browne	Gilchrist	

Holdoegel	Mead	Scott	Snook
Horchem	Newberry	Shaff	Stoddard
Kimberly	Olson	Shane	Thurston
McIntosh	Perkins	Slosson	
Mantz	Rees	Smith	

Nays, none.

Absent or not voting, 14.

Bergman	Darting	Nelson	Shinn
Buser	Dutcher	Price	Tuck
Campbell	Haskell	Reed	
Cessna	Johnston	Romkey	

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

By unanimous consent, Senator Adams withdrew Senate File No. 577 from further consideration.

On motion of Senator Adams, House File No. 673, a bill for an act to legalize an ordinance of the incorporated town of Wallingford, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Adams moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Ethell	McIntosh	Shane
Adams	Fulton	Mantz	Slosson
Banta	Gilchrist	Mead	Smith
Bowman	Goodwin	Newberry	Snook
Brookhart	Hale	Perkins	Stoddard
Brookings	Hartman	Price	Thurston
Browne	Holdoegel	Rees	White
Buser	Horchem	Scott	Wichman
Caldwell	Kimberly	Shaff	

Nays, none.

Absent or not voting, 14.

Baird	Darting	Nelson	Shinn
Bergman	Dutcher	Olson	Tuck
Campbell	Haskell	Reed	
Cessna	Johnston	Romkey	

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

By unanimous consent Senator Adams withdrew Senate File 576 from further consideration.

On motion of Senator Adams House File No. 675, a bill for an act to legalize an ordinance of the incorporated town of Gruver, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Adams moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Abben	Ethell	Kimberly	Scott
Adams	Fulton	McIntosh	Shane
Baird	Gilchrist	Mantz	Slosson
Bowman	Goodwin	Mead	Smith
Brookhart	Hale	Newberry	Snook
Brookins	Hartman	Perkins	Stoddard
Browne	Holdoegel	Price	Thurston
Caldwell	Horchem	Rees	White
			Wichman

Nays, none.

Absent or not voting, 16.

Banta	Cessna	Johnston	Romkey
Bergman	Darting	Nelson	Shaff
Buser	Dutcher	Olson	Shinn
Campbell	Haskell	Reed	Tuck

The bill having received a constitutional majority was declared to have passed the Senate and the tile was agreed to.

By unanimous consent Senator Adams withdrew Senate File No. 575 from further consideration.

On motion of Senator Adams House File No. 676, a bill for an act to legalize an ordinance of the incorporated town of Ringsted, Iowa, granting a franchise to Armstrong Cement Works, its successors or assigns, to erect and operate an electric light, heat and power plant in said town, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Adams moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Abben	Ethell	McIntosh	Shane
Adams	Fulton	Mead	Slosson
Baird	Goodwin	Newberry	Snook
Bowman	Hale	Perkins	Stoddard
Brookhart	Hartman	Price	Thurston
Brookins	Holdoegel	Rees	White
Browne	Horchem	Scott	Wichman
Caldwell	Kimberly	Shaff	

Nays, none.

Absent or not voting, 18

Banta	Darting	Mantz	Shinn
Bergman	Dutcher	Nelson	Smith
Buser	Gilchrist	Olson	Tuck
Campbell	Haskell	Reed	
Cessna	Johnston	Romkey	

The bill having received a constitutional majority was declared to have passed the Senate and the tile was agreed to.

By unanimous consent, Senator Adams withdrew Senate File No. 578 from further consideration.

On motion of Senator McIntosh, House File No. 537, a bill for an act to repeal the law as it appears in the following section, to-wit: Section two thousand four hundred thirteen (2413) of the supplemental supplement to the code, 1915, as amended by chapter three hundred twenty-two (322) of the acts of the Thirty-seventh General Assembly, (C. C. sec. 974); section two thousand four hundred fourteen (2414) of the code (C. C. sec. 975); section twenty-four hundred fifteen (2415) of the supplemental supplement, 1915, as amended by chapter three hundred twenty-two (322), acts of the 37th General Assembly, (C. C. sec. 976); and section two thousand four hundred sixteen (2416) of the code, as amended by chapter two hundred sixty-six (266), acts of the 38th General Assembly, (C. C. sec. 977), and to enact a substitute therefor, relating to the information as to search warrants, providing for the seizure of intoxicating liquors and the seizure of instruments and material used in the manufacturing of intoxicating liquors and providing for the forfeiture and confiscation of intoxicating liquor and instruments and material used in the manufacturing of such liquors and for the disposition of the articles forfeited and their return when

not forfeited, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Busser offered the following amendment and moved its adoption:

Amend by striking from section 2 beginning after the word "liquors" in line seven (7) the following "or material which may be used for legitimate purposes but which may be used in the manufacture of intoxicating liquor and is possessed in such quantities as to indicate that it is intended for such use" and inserting in lieu thereof the word "and".

Senator Price moved the previous question, which motion prevailed, and the previous question was ordered.

Senator Buser's amendment was lost.

The bill was read for information.

Senator McIntosh moved that the reading just had be considered the third reading, which motion prevailed.

Senator McIntosh invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 23.

Abben	Campbell	Holdoegel	Shane
Baird	Cessna	Newberry	Snook
Banta	Ethell	Perkins	Stoddard
Bowman	Fulton	Price	Thurston
Brookins	Gilchrist	Rees	Wichman
Browne	Goodwin	Scott	

Nays, 13.

Adams	Hale	McIntosh	White
Brookhart	Hartman	Shaft	
Buser	Horchem	Slosson	
Caldwell	Kimberly	Smith	

Absent or not voting, 13.

Bergman	Johnston	Olson	Shinn
Darting	Mantz	Reed	Tuck
Dutcher	Mead	Romkey	
Haskell	Nelson		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Gilchrist Senate File No. 437, a bill for an act to amend an act of the Fortieth (40th) General Assembly approved by the Governor on February 10, 1923, and entitled "An act to amend, revise, and codify section eighty-eight hundred three (8803) of the compiled code of Iowa, relating to immoral and

lascivious acts with or in the presence of children," known as House File No. 249, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee substitute was adopted:

A BILL FOR

An act to amend an act of the Fortieth (40th) General Assembly approved by the Governor on February 10, 1923, and entitled "An act to amend, revise and codify section eighty-eight hundred three (8803) of the compiled code of Iowa, relating to immoral and lascivious acts with or in the presence of children", and known as Senate File No. 249.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section one (1) of an act of the Fortieth (40) General Assembly and approved February tenth (10), nineteen hundred twenty-three (1923), and entitled "An act to amend, revise and codify section eighty-eight hundred three (8803) of the compiled code of Iowa, relating to immoral and lascivious acts with or in the presence of children", and known as Senate File No. 249, is amended by striking therefrom the following word, characters, and figures, to wit: "thirteen (13)", and by inserting in lieu thereof the following word, characters, and figures, to wit: "sixteen (16)".

The bill was read for information.

Senator Gilchrist moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Abben	Campbell	McIntosh	Smith
Baird	Ethell	Newberry	Snook
Bowman	Fulton	Olson	Stoddard
Brookhart	Gilchrist	Perkins	Thurston
Brookins	Hartman	Rees	White
Browne	Holdoegel	Scott	Wichman
Buser	Horchem	Shaff	
Caldwell	Kimberly	Shane	

Nays, none.

Absent or not voting, 19.

Adams	Dutcher	Mantz	Reed
Banta	Goodwin	Mead	Romkey
Bergman	Hale	Nelson	Shinn
Cessna	Haskell	Price	Slosson
Darting	Johnston		Tuck

The bill having received a constitutional majority was declared to have passed the Senate and the tile was agreed to.

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent, on request of Senator Mead, Senate File No. 329 was made a special order for Tuesday, April 3, 10 a. m.

By unanimous consent, on request of Senator Smith, the resolution for the sifting committee was amended by striking the words "Saturday, March 31st" and inserting in lieu thereof the words "Wednesday, April 4th".

MOTIONS TO RECONSIDER FILED

MR. PRESIDENT: I move that the vote by which Senate File No. 585 failed to pass the Senate be reconsidered.

M. L. BOWMAN.

MR. PRESIDENT: I move to reconsider the vote by which House File No. 537 failed to pass the Senate.

J. L. BROOKHART.

By unanimous consent, Senator Horchem withdrew Senate File No. 334 from further consideration.

The Journal of March 30th was corrected and approved.

On motion of Senator Stoddard, the Senate adjourned until 9:30 a. m., Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, April 2, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. C. William Bast, pastor of First Congregational church of Perry, Iowa.

On motion of Senator Campbell, rule 33 was suspended for the day.

Senator Stoddard announced the receipt of a message from Senator Reed conveying the news of the death of his mother, which occurred on Saturday, March 31st.

Senator Stoddard moved that a committee of three be appointed to draft a suitable resolution of condolence and that the Secretary be directed to transmit the message to Senator Reed. The motion prevailed and the President appointed as such committee Senators Stoddard, Wichman and Slosson.

REPORTS OF COMMITTEES

Senator Fulton, from the committee on banks, submitted the following report:

MR. PRESIDENT: Your committee on banks to whom was referred Senate File 612, a bill for an act to provide for the organization and incorporation of credit unions, defining their powers and placing them under the control of the banking department, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking from section 6, line 12, the words "at least annually" and from line 14 the words "may order other examinations and", and by inserting in line 13, after the word "deputy" the words "as often as said superintendent may deem advisable"; by striking out the first paragraph of section 7 and substituting the following: "The superintendent of banking shall act as superintendent of credit unions and his duties shall be:" by inserting in line 17 after the word "proceed" the words "at their expense" set off by commas; and by inserting in line 19 a period after the word "organizer" and striking out the remainder of the section; by striking out all after the word "and" in line 2 of

section 23 and substituting the following: "shall not be subject to taxation except as to its real estate and moneys and credits. The shares of a credit union shall not be taxable nor shall such shares be subject to a stock transfer tax when issued by the corporation or when transferred from one member to another."

C. J. FULTON, *Chairman*.

Ordered passed on file.

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 370, a bill for an act to establish and locate three additional normal training schools, and make appropriations for purchase of sites, erection of buildings and support of such schools, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

B. M. STODDARD, *Chairman*.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 14.

Abben	Campbell	Johnston	Slosson
Adams	Cessna	Newberry	White
Banta	Dutcher	Perkins	
Brookins	Fulton	Rees	

Nays, 22.

Baird	Ethell	Mantz	Stoddard
Brookhart	Gilchrist	Mead	Thurston
Browne	Hale	Nelson	Tuck
Buser	Horchem	Price	Wichman
Caldwell	Kimberly	Shinn	
Darting	McIntosh	Snook	

Absent or not voting, 13.

Bergman	Haskell	Romkey	Shane
Bowman	Holdoegel	Scott	Smith
Goodwin	Olson	Shaff	
Hartman	Reed		

The report was rejected and the bill ordered placed on the calendar.

On motion of Senator Ethell, Senate File No. 137, was made a special order for Thursday, April 5th, at 10 a. m.

On motion of Senator Stoddard, Senate File No. 354 was rereferred to the committee on appropriations.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the

Senate, he had signed in the presence of the Senate, Senate Files Nos. 539, and 621, and House Files Nos. 285, 353 and 498.

RESOLUTION OF CONDOLENCE

Whereas, An All-Wise Providence has removed from earthly activities the beloved mother of our respected Senator Carl W. Reed.

Therefore, Be It Resolved, That the sincere sympathy of each member of this body is extended to our worthy colleague in his great bereavement, and

Be It Further Resolved, That the Secretary of the Senate is instructed to communicate this resolution by telegraph to Senator Reed.

B. M. STODDARD,
J. E. WICHMAN,
J. M. SLOSSON,
Committee.

The resolution was unanimously 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. 510, a bill for an act to appropriate twelve thousand three hundred seventy-nine and ninety-six hundredths dollars (\$12,379.96), for the purpose of paying drainage assessments against state owned land in connection with the drainage of East Swan Lake.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 513, a bill for an act to compensate one, Captain John C. Bradbury of Oskaloosa, Iowa, for services rendered as captain of Troop "F", First Iowa Cavalry from January 26, 1920, to July 17, 1920, and make an appropriation to pay such compensation.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 682, a bill for an act to amend section seventeen hundred eighty-eight (1788) of the supplement to the code, 1913 (C. C. 5512), relating to assessment life associations, and to amend section seventeen hundred eighty-nine (1789) of the code (C. C. 5513), relating to the beneficiaries of assessment life associations, and to amend section seventeen hundred ninety-eight-a (1798-a), supplement to the code, 1913, as amended by chapter two hundred thirty-four (234) and chapter four hundred thirteen (413) of the acts of the Thirty-seventh (37th) General Assembly (C. C. 5523), by authorizing the issuance by assessment life associations of certificates or policies of insurance on the legal reserve or level premium plan and providing for the valuation of such policies, and for the investment and use of funds, and the deposit of securities with the commissioner of insurance.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 739, a bill for an act to legalize an election held on the 25th day of March, 1920, in the independent school district of Lawler, in the county of Chickasaw, state of Iowa, for the purpose of voting on the issuance of bonds of said district in the sum of \$30,000.00 for the purpose of constructing and equipping an addition to the school house of said district and to legalize all acts and proceedings of the board of directors of said district in respect to said election.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 521, a bill for an act to provide for an appropriation of one hundred sixty-five dollars (\$165.00) to indemnify Dr. C. B. Miller, secretary-treasurer of the state board of dental examiners for services rendered in conducting examinations of applicants for permission to practice in the state of Iowa during the year 1922.

Also, 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 chapter one hundred forty (140) acts of the Thirty-ninth General Assembly (C. C. ch. 2 title XII.) relating to the taxation, licensing and controlling of dogs, and relieving certain officers from responsibility for the collection of fees in relation thereto.

Also, 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 nineteen hundred seventy-five (1975) of the code (C. C. 4817) relating to levees, drains and watercourses.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 706, a bill for an act to amend section three hundred thirteen (313) of the supplement to the code, 1913, as amended by chapter three hundred thirty (330), acts of the Thirty-seventh General Assembly (C. C. 7037), relating to the admission to the practice of law in this state of attorneys who are admitted in other states and to provide a fee herefor.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 690, a bill for an act to amend the law as it appears in section two thousand seven hundred seventy-three (2773), supplement to the code, 1913, as amended by chapters twenty-four (24), one hundred forty-three (143), one hundred sixty (160), acts of the Thirty-eighth General Assembly (C. C. 2639), relating to the transportation of pupils in school districts.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 298, a bill for an act to amend chapter 275, acts of the Thirty-eighth General Assembly, (supplement to C. C. chap. 17, sec. 3053)

relating to the manner of fixing the registration fee on motor vehicles.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 442, a bill for an act to amend the law as it appears in section four hundred thirty-one (431) of the code (C. C. 3343), relating to soldiers relief commission.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 511, a bill for an act to repeal section two thousand five hundred eighty-four (2584) supplemental supplement to the code, 1915, relating to the appointment of the commissioners of pharmacy, the powers and duties thereof, and to enact a substitute therefor.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 447, a bill for an act to amend section sixteen hundred ninety-six (1696) of the code 1897 (C. C. 5619), relating to the elections of directors of insurance companies other than life insurance companies.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 417, a bill for an act to amend section one (1), chapter eighty-eight (88) acts of the Thirty-eighth General Assembly (C. C. sec. 7806), relating to notice for probating wills.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 611, a bill for an act authorizing the board of supervisors to transfer unexpended balances from bond issues to the general fund of the county.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 181, a bill for an act to amend, revise, and codify sections four thousand eighty-nine (4089) to four thousand ninety-two (4092), inclusive, four thousand ninety-four (4094) to four thousand one hundred (4100), inclusive, and four thousand one hundred two (4102) to four thousand one hundred five (4105), inclusive, of the compiled code of Iowa, and sections four thousand ninety-three (4093) and four thousand one hundred one (4101) of the supplement to said code, relating to municipal corporations.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Buser, Senate File No. 314, a bill for an act to legalize the action of the boards of supervisors of Muscatine and Louisa counties relative to the assessments against state lands in Drainage District Number Thirteen (13), located in Muscatine and Louisa counties and to authorize the payment of said assessments

with accrued interest, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent, on request of Senator Buser, the words "together with accrued interest" were stricken from line 5 of section 2.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Baird	Dutcher	McIntosh	Shaff
Banta	Ethell	Mantz	Shane
Bergman	Fulton	Mead	Shinn
Bowman	Gilchrist	Nelson	Slosson
Brookhart	Goodwin	Newberry	Smith
Brookins	Hale	Perkins	Snook
Browne	Hartman	Price	Stoddard
Buser	Horchem	Rees	White
Campbell	Johnston	Romkey	Wichman
Darting	Kimberly	Scott	

Nays, none.

Absent or not voting, 10.

Abben	Cessna	Olson	Thurston
Adams	Haskell	Reed	Tuck
Caldwell			

The bill having received a constitutional majority was declared to have passed the Senate.

On motion of Senator Buser the words "with accrued interest" were stricken from the title and the title as amended was agreed to.

Senator Buser moved that the Senate reconsider the vote by which the bill passed and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Mantz Senate File No. 396, a bill for an act establishing the qualifications of teachers of agriculture and of normal training critic teachers in approved high schools 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 the words "and of normal training critic teachers" in the title thereof.

Also amend by striking out the words "and all normal training critic teachers" in lines one (1) and two (2) of section 1 of the bill.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from line 12 of section 1 the word "of" and inserting in lieu thereof the words "providing a course in".

The amendment was adopted.

Senator Adams moved the previous question, which motion prevailed and the previous question was ordered.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 18.

Abben	Fulton	Mantz	Stoddard
Baird	Goodwin	Newberry	White
Bergman	Hartman	Perkins	Wichman
Bowman	Holdoegel	Shaff	
Darting	Horchem	Snook	

Nays, 21.

Banta	Cessna	Johnston	Shane
Brookins	Dutcher	McIntosh	Shinn
Browne	Ethell	Nelson	Slosson
Buser	Gilchrist	Rees	Smith
Campbell	Hale	Romkey	Thurston
			Tuck

Absent or not voting, 10.

Adams	Haskell	Olson	Scott
Brookhart	Kimberly	Price	
Caldwell	Mead	Reed	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Wichman House File No. 677 was substituted for Senate File No. 542.

On motion of Senator Wichman House File No. 677, a bill for an act relating to the levying, under certain conditions, of a school house tax by independent school districts and the issuing of certificates or bonds in anticipation of the collection of such tax and providing for a special schoolhouse fund, having been substituted for Senate File No. 542, was taken up and considered.

Senator Wichman offered the following amendment and moved its adoption:

Amend by striking the word "which" wherever it appears in line 9 of section 1 and inserting in lieu thereof the word "such".

The amendment was adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Dutcher	McIntosh	Shane
Adams	Fulton	Mantz	Slosson
Baird	Gilchrist	Mead	Stoddard
Banta	Goodwin	Newberry	Thurston
Bergman	Hale	Perkins	Tuck
Bowman	Hartman	Price	White
Brookhart	Holdoegel	Rees	Wichman
Brookins	Horchem	Romkey	
Caldwell	Johnston	Scott	
Darting	Kimberly	Shaff	

Nays, 1.

Browne

Absent or not voting, 11.

Buser	Ethell	Olson	Smith
Campbell	Haskell	Reed	Snook
Cessna	Nelson	Shinn	

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

Senator Wichman moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent Senator Wichman withdrew Senate File No. 542 from further consideration.

On motion of Senator Goodwin House File No. 426, a bill for an act to amend section one (1) of chapter one hundred twenty (120) acts of the Thirty-ninth General Assembly, relating to the organization, regulation, taxation and operation of mutual insurance associations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Abben	Campbell	Johnston	Romkey
Adams	Darting	Kimberly	Scott
Baird	Ethell	McIntosh	Shane
Banta	Fulton	Mantz	Shinn
Bergman	Gilchrist	Mead	Slosson
Bowman	Goodwin	Nelson	Snook
Brookhart	Hale	Newberry	Stoddard
Brookins	Hartman	Perkins	Thurston
Buser	Holdoegel	Price	Tuck
Caldwell	Horchem	Rees	Wichman

Nays, none.

Absent or not voting, 8.

Browne	Haskell	Reed	Smith
Cessna	Olson	Shaff	White
Dutcher			

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

On motion of Senator Mead, House File No. 281, a bill for an act to amend section ten (10) chapter two hundred eighty-seven (287), laws of the 38th General Assembly, relating to the basis of valuation of tubercular cattle, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bowman offered the following amendment and moved its adoption:

Amend by adding as section 2 the following and renumbering section 2 as section 3: "This reduction is not to apply to any who have prior to this change in the law already signed contracts for testing their cattle under the law as now relative to indemnity."

Senator Cessna moved that this matter be deferred and the bill placed at the foot of the calendar.

Senator Price moved as a substitute motion that action be deferred and the bill retain its place on the calendar. The substitution was made. The motion was lost.

Senator Mead moved the previous question, which motion prevailed and the previous question was ordered.

Senator Bowman's amendment was lost.

Senator Price offered the following amendment and moved its adoption:

Amend by adding the following as section 2 and renumbering section 2 as section 3: "That any person, firm, or corporation importing into the state of Iowa any cattle which have not been tested and which cattle are found to be infected with tuberculosis, shall not be permitted to participate in any such compensation".

The amendment was adopted.

Senator Bowman offered the following amendment and moved its adoption:

Amend by striking therefrom all of section 3, the publication clause.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 9.

Banta	Holdoegel	Kimberly	Shaff
Bowman	Horchem	Mantz	Wichman
Brookins			

Nays, 30.

Abben	Cessna	Johnston	Slosson
Adams	Darting	Mead	Snook
Bergman	Ethell	Nelson	Stoddard
Brookhart	Fulton	Newberry	Thurston
Browne	Gilchrist	Price	Tuck
Buser	Goodwin	Romkey	White
Caldwell	Hale	Shane	
Campbell	Hartman	Shinn	

Absent or not voting, 10.

Baird	McIntosh	Reed	Smith
Dutcher	Olson	Rees	
Haskell	Perkins	Scott	

The amendment was lost.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Darting	Johnston	Shane
Adams	Dutcher	Kimberly	Shinn
Banta	Fulton	Mantz	Slosson
Bergman	Gilchrist	Mead	Snook
Brookhart	Goodwin	Nelson	Stoddard
Buser	Hale	Newberry	Thurston
Caldwell	Hartman	Perkins	Tuck
Campbell	Holdoegel	Price	White
Cessna	Horchem	Romkey	Wichman

Nays, 3.

Bowman

Brookins

Browne

Absent or not voting, 10.

Baird

McIntosh

Rees

Smith

Ethell

Olson

Scott

Haskell

Reed

Shaff

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

HOUSE AMENDMENTS CONSIDERED

Senator Stoddard called up for consideration Senate File No. 611, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File No. 611 by adding thereto the following:

Sec. 2. This act being deemed of immediate importance shall take effect and be in full force from and after its passage and publication in the Des Moines Capital and Iowa Forum, newspapers published in Des Moines, Iowa.

Amend the title as follows: In line two after the word "from" and before the word "bond" insert the word "county".

On the question "Shall the Senate concur?" the vote was:

Ayes, 32.

Abben

Campbell

Johnston

Shaff

Adams

Darting

Kimberly

Shane

Banta

Ethell

McIntosh

Slosson

Bergman

Gilchrist

Mantz

Snook

Bowman

Goodwin

Mead

Stoddard

Brookhart

Hale

Newberry

Thurston

Brookins

Hartman

Perkins

White

Caldwell

Horchem

Rees

Wichman

Nays, none.

Absent or not voting, 17.

Baird

Fulton

Price

Smith

Browne

Haskell

Reed

Tuck

Buser

Holdoegel

Romkey

Cessna

Nelson

Scott

Dutcher

Olson

Shinn

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Stoddard called up for consideration Senate File No. 181, amended by the House, and moved that the Senate concur in the following amendments:

That the period (.) following the word "funds" in line five (5), section

one (1), be stricken and a (;) inserted in lieu thereof, and that there be inserted after such (;) the following: "cities operating under city manager and having a population exceeding thirty-five thousand (35,000), may levy an additional tax not to exceed one mill for each such department for such purpose."

On the question "Shall the Senate concur?" the vote was:

Ayes, 33.

Abben	Darting	Mead	Snook
Adams	Fulton	Nelson	Stoddard
Banta	Hale	Newberry	Thurston
Bergman	Hartman	Perkins	Tuck
Bowman	Horchem	Rees	White
Brookhart	Johnston	Shaff	Wichman
Brookins	Kimberly	Shane	
Caldwell	McIntosh	Shinn	
Campbell	Mantz	Slosson	

Nays, none.

Absent or not voting, 16.

Baird	Dutcher	Haskell	Reed
Browne	Ethell	Holdoegel	Romkey
Buser	Gilchrist	Olsen	Scott
Cessna	Goodwin	Price	Smith

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

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

AFTERNOON SESSION.

The Senate met pursuant to adjournment, President Hammill presiding.

PETITIONS AND MEMORIALS

Senator Rees presented a petition from citizens of Clarinda urging opposition to Senate File 526, relative to labeling of fabrics. Referred to committee on agriculture.

Senator Brookhart presented a petition from the Slater Ag. Boosters, Slater, Iowa, endorsing House File 398, relative to agricultural short-courses. Referred to committee on agriculture.

INTRODUCTION OF BILLS

Senate File No. 720, by committee on claims, a bill for an act regulating the filing of claims, not allowable under laws, requiring the examination thereof by the Attorney General and to report his findings thereon to the next session of the General Assembly.

Read first and second times and placed on the calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 429, a bill for an act to amend the law as it appears in section twenty-five hundred seventy-five-a nine (2575-a9) supplemental supplement to the code, 1915 (C. C. sec. 2354) relating to an increase in the annual appropriation for the state bacteriological laboratory at Iowa City, Iowa.

Also, that the House has passed the following resolution in which the concurrence of the Senate is asked:

House Joint Resolution providing for the annual display of the American flag on Mothers' Day, the second Sunday in May.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 680, a bill for an act to amend chapter one hundred sixty-seven (167), acts of the Thirty-ninth General Assembly, relating to the levy of a tax to pay an annuity to the donor of property to a municipal corporation, and to provide for the disposition of the fund raised by such tax.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 791, a bill for an act to amend section three (3), chapter three hundred sixty-eight (368), acts of the Thirty-eighth General Assembly (C. C. 1186), relating to the annual appropriation for state parks.

Also, 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 repeal section sixteen hundred eighty-three-r (1683-r) (C. C. 5460), supplement to the code, 1913, as amended by section fifteen (15), chapter two hundred nine (209), acts of the Thirty-ninth General Assembly, and to enact a substitute in lieu thereof relating to the insurance department.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 443, a bill for an act to compensate Lieut. Col. E. E. Lambert for services rendered to the Iowa National Guard while on recruiting duty.

Also, 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 providing for the licensing and regulation of billiard and pocket billiard rooms and providing penalties for violations of the act and to amend sections seven hundred two (C. C. 3605) and five thousand two (5002) (C. C. 8827) of the code, and chapter

three hundred fifty-eight (358), acts of the Thirty-seventh General Assembly (C. C. 3136), relating to the operation of pool and billiard rooms.

Also, 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 amending section seventeen hundred seventy-nine (1779) of the code (C. C. 5488), relating to life insurance.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 789, a bill for an act to amend section two thousand five hundred seven (2507), supplemental supplement to the code, 1915, as amended by chapter three hundred twenty-nine (329), acts of the Thirty-eighth General Assembly, as amended by chapter two hundred nine (209), acts of the Thirty-ninth General Assembly (S. C. C. 903), relating to appropriation for expenses of the oil inspection department.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 543, a bill for an act to amend chapter one hundred twenty-six (126), laws of the Thirty-seventh General Assembly (C. C. 4038), relating to transfer of funds in cities and towns.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 580, a bill for an act to amend the law as it appears in section eleven (11) chapter two hundred seventy-five (275) of the acts of the Thirty-eighth General Assembly (C. C. 3054) relating to licensing and regulation of motor vehicles.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 668, a bill for an act to provide for storage of grain in state licensed warehouses and under state supervision, and the issuance of storage certificates therefor, and providing penalties for offenses thereunder.

Also, 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 authorize the purchase of real estate in the city of Ames, where excess war equipment is stored.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 424, a bill for an act exempting certain societies and associations of employes from the provisions of chapter four (4) to nine (9) inclusive to title nine (IX) of the code as amended.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 510, a bill for an act to appropriate twelve thousand three hundred seventy-nine and ninety-six hundredths

dollars (\$12,379.96) for the purpose of paying drainage assessments against state owned land in connection with the drainage of East Swan Lake.

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

House File No. 513, a bill for an act to compensate one Captain John C. Bradbury of Oskaloosa, Iowa for services rendered as captain of Troop "F", First Iowa Cavalry from January 26, 1920, to July 17, 1920, and make an appropriation to pay such compensation.

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

House File No. 739, a bill for an act to legalize an election held on the 25th day of March, 1920, in the independent school district of Lawler, in the county of Chickasaw, state of Iowa, for the purpose of voting on the issuance of bonds of said district in the sum of \$30,000.00 for the purpose of constructing and equipping an addition to the school house of said district and to legalize all acts and proceedings of the board of directors of said district in respect to said election and said bonds.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 682, a bill for an act to amend section seventeen hundred eighty-eight (1788) of the supplement to the code, 1913 (C. C. 5512), relating to assessment life associations, and to amend section seventeen hundred eighty-nine (1789) of the code (C. C. 5513), relating to beneficiaries of assessment life associations, and to amend section seventeen hundred ninety-eight-a (1798-a), supplement to the code, 1913, as amended by chapter two hundred thirty-four (234) and chapter four hundred thirteen (413) of the acts of the Thirty-seventh (37th) General Assembly (C. C. 5523), by authorizing the issuance by assessment life associations of certificates or policies of insurance on the legal reserve or level premium plan and providing for the valuation of such policies, and for the investment and use of funds, and the deposit of securities with the commissioner of insurance.

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

House File No. 521, a bill for an act to provide for an appropri-

ation of one hundred sixty-five dollars \$165.00) to indemnify Dr. C. B. Miller, secretary-treasurer of the state board of dental examiners for services rendered in conducting examinations of applicants for permission to practice in the state of Iowa during the year 1923.

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

House File No. 382, a bill for an act to amend chapter one hundred forty (140) acts of the Thirty-ninth General Assembly (C. C. Ch. 2, Tit. XII) relating to the taxation, licensing and controlling of dogs, and relieving certain officers from responsibility for the collection of fees in relation thereto.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 469, a bill for an act to amend section nineteen seventy-five (1975) of the code (C. C. 4817) relating to levees, drains and water courses.

Read first and second times and referred to committee on drainage.

House File No. 706, a bill for an act to amend section three hundred thirteen (313) of the supplement to the code, 1913, as amended by chapter three hundred thirty (330), acts of the thirty-seventh General Assembly (C. C. 7037), relating to the admission to the practice of law in this state of attorneys who are admitted in other states and to provide therefor.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 690, a bill for an act to amend the law as it appears in section two thousand seven hundred seventy-three (2773) supplement to the code, 1913, as amended by chapters twenty-four (24), one hundred forty-three (143), one hundred sixty (160) acts of the Thirty-eighth General Assembly (C. C. 2639), relating to the transportation of pupils in school districts.

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

House File No. 298, a bill for an act to amend chapter 275, acts of the 38th General Assembly, (supplement to C. C. Chap. 17, Sec. 3053), relating to the manner of fixing the registration fee on motor vehicles.

Read first and second time and referred to committee on motor vehicles.

House File No. 442, a bill for an act to amend the law as it appears in section four hundred thirty-one (431) of the code (C. C. 3343), relating to soldiers relief commission.

Read first and second time and referred to committee on military affairs.

House Joint Resolution No. 6, providing for the annual display of the American flag on Mother's Day, the second Sunday in May.

Read first and second time and referred to committee on military affairs.

House File No. 680, a bill for an act to amend chapter one hundred twenty-six (126), laws of the Thirty-seventh General Assembly, relating to the levy of a tax to pay an annuity to the donor of property to municipal corporation, and to provide for the disposition of the fund raised by such tax.

Read first and second time and referred to committee on ways and means.

House File No. 543, a bill for an act to amend chapter one hundred twenty-six (126), laws of the Thirty-seventh General Assembly (C. C. 4038), relating to transfer of funds in cities and towns.

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

House File No. 429, a bill for an act to amend the law as it appears in section twenty-five hundred seventy-five-a nine (2575-a9) supplemental supplement to the code, 1915, (C. C. sec. 2354), relating to an increase in the annual appropriation for the state bacteriological laboratory at Iowa City, Iowa.

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

House File No. 791, a bill for an act to amend section three (3), chapter three hundred sixty-eight (368), acts of the Thirty-eighth General Assembly (C. C. 1186), relating to the annual appropriation for state parks.

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

House File No. 560, a bill for an act to repeal section sixteen hundred eighty-three-r (1683-r) (C. C. 5460), supplement to the code, 1913, as amended by section fifteen (15), chapter two hundred

nine (209), acts of the Thirty-ninth General Assembly, and to enact a substitute in lieu thereof relating to the insurance department.

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

House File No. 789, a bill for an act to amend section two thousand five hundred seven (2507), supplemental supplement to the code, 1915, as amended by chapter three hundred twenty-nine (329), acts of the Thirty-eighth General Assembly, as amended by chapter two hundred nine (209), acts of the Thirty-ninth General Assembly (S. C. C. 903), relating to appropriation for expenses of the oil inspection department.

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

House File No. 563, a bill for an act amending section seventeen hundred seventy-nine (1779), of the code (C. C. 5488), relating to life insurance.

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

House File No. 565, a bill for an act providing for the licensing and regulation of billiard and pocket billiard rooms and providing penalties for violations of the act and to amend sections seven hundred two (C. C. 3605) and five thousand two (5002) (C. C. 5527) of the code, and chapter three hundred fifty-eight (358), acts of the Thirty-seventh General Assembly (C. C. 3136), relating to the operation of pool and billiard rooms.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 580, a bill for an act to amend the law as it appears in section eleven (11) chapter two hundred seventy-five (275) of the acts of the Thirty-eighth General Assembly (C. C. 3054) relating to licensing and regulation of motor vehicles.

Read first and second time and referred to committee on motor vehicles.

House File No. 521, a bill for an act to provide for an appropriation of one hundred sixty-five dollars (\$165.00) to indemnify Dr. C. B. Miller, secretary-treasurer of the state board of dental examiners for services rendered in conducting examinations of applicants for permission to practice in the state of Iowa during the year 1923.

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

House File No. 573, a bill for an act to authorize the purchase of real estate in the city of Ames, where excess war equipment is stored.

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

House File No. 298, a bill for an act to amend chapter 275, acts of the 38th General Assembly, (supplement to C. C. Chap. 17. Sec. 3052) relating to the manner of fixing the registration fee on motor vehicles.

Read first and second time and referred to committee on motor vehicles.

House File No. 443, a bill for an act to compensate Lieut. Col. E. E. Lambert for services rendered to the Iowa National Guard while on recruiting duty.

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

House File No. 668, a bill for an act to provide for storage of grain in state-licensed warehouses and under state supervision, and the issuance of storage certificates therefor, and providing penalties for offenses thereunder.

Read first and second time and on motion substituted for Senate File No. 598.

REPORTS OF COMMITTEES

Senator Newberry submitted the following report:

MR. PRESIDENT: Your committee on public schools to whom was referred House File No. 600, a bill for an act to amend chapter fourteen (14) title thirteen (XIII), supplement to the code, 1913, (C. C. chap. 19, title 10), relating to consolidated schools, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

BYRON W. NEWBERRY, *Chairman.*

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on public schools to whom was referred Senate File No. 475, a bill for an act to create a textbook board and committee for the purpose of preparing for use in the public schools of the state a uniform system of textbooks, registers, records, and school

apparatus, to regulate the sale of school books and school supplies, to define the duty of bidders and certain officers in carrying out the provisions of this act, and to provide penalties for the violation of the same, beg leave to report it has had the same under consideration and recommends the same be amended by the adoption of the following substitute:

Amend Senate File No. 475 by striking out the title, and substituting in lieu thereof the following:

"An act to repeal section two thousand eight hundred thirty-one (2831), supplement to the code, 1913 (C. C. section 2701), and section two thousand eight hundred thirty-two (2832), supplement to the code, 1913 (C. C. section 2702), relating to county uniformity of textbooks and enacting a substitute therefor."

Also, amend by striking out all of said bill after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section two thousand eight hundred thirty-one (2831), supplement to the code, 1913 (C. C. section 2701), and section two thousand eight hundred thirty-two (2832), supplement to the code, 1913 (C. C. section 2702), are hereby repealed and a substitute enacted therefor.

Sec. 2. The county board of education shall select the school textbooks for the entire county and contract for the same under such rules and regulations as the said board of education may adopt. When a list of textbooks has been selected it shall be used by all the public schools of the county except as otherwise provided by law. The county board of education may arrange for such depositories as it may deem best and may pay for said school books out of the county funds and sell them to the school districts at the same price as otherwise provided by law, and the money received from said sales shall be returned to the county funds monthly. Unless otherwise ordered by the board of education, the county superintendent shall have charge of such textbooks and the distribution thereof among the depositories selected by the board; he shall render to the board at each meeting thereof itemized accounts of his doings and shall be liable on his official bond therefor.

Section 3. Nothing in this act shall be construed to affect valid existing contracts, and no change shall be made in the textbooks of any school corporation until such contracts expire."

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

On motion of Senator Adams, House File No. 682 was substituted for Senate File No. 641.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully

reports that it has examined and finds correctly enrolled: House Files Nos. 297, 327, 340, 476.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports it has on this 2nd day of April, 1923, sent to the Governor for his approval, Senate Files Nos. 539 and 621.

F. C. GILCHRIST, *Chairman.*

Report adopted.

On motion of Senator Perkins Senate File No. 671, a bill for an act additional to title ten (10), chapter two-a (2-a) of the supplement to the code 1913, providing for the removal of illegality or uncertainty in contracts relating to drainage improvements and providing for the reassessment of land where assessments have been adjudged to be void for jurisdictional defects, or for illegality or uncertainty in such contracts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Perkins moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Abben	Darting	Mantz	Slosson
Adams	Fulton	Mead	Snook
Baird	Gilchrist	Newberry	Stoddard
Banta	Hale	Perkins	White
Bowman	Hartman	Rees	Wichman
Brookins	Holdoegel	Scott	
Caldwell	Horchem	Shaff	
Campbell	Kimberly	Shane	

Nays, 2.

Browne	Nelson
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Absent or not voting, 18.

Bergman	Ethell	Olson	Smith
Brookhart	Goodwin	Price	Thurston
Buser	Haskell	Reed	Tuck
Cessna	Johnston	Romkey	
Dutcher	McIntosh	Shinn	

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

On motion of Senator Stoddard, Senate File No. 681, a bill for an act to amend section twenty-seven hundred sixty (2760) of the compiled code, relating to certain charges by the curator of the historical department for certified copies of certain documents, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stoddard offered the following amendments and moved their adoption:

Amend by inserting the following after the enacting clause: "That section twenty-seven hundred sixty (2760) of the compiled code of Iowa, is hereby repealed and the following enacted in lieu thereof:"

Also amend the title by substituting the following in lieu thereof: "An act to repeal section twenty-seven hundred sixty (2760) of the compiled code of Iowa, relating to certain charges by the curator of the historical department for certified copies of certain documents, and enact a substitute therefor."

The amendments were adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Darting	Mantz	Shinn
Adams	Dutcher	Mead	Slosson
Baird	Ethell	Nelson	Snook
Banta	Fulton	Newberry	Stoddard
Bowman	Hale	Price	Thurston
Brookins	Hartman	Rees	White
Browne	Holdoegel	Romkey	Wichman
Buser	Horchem	Scott	
Caldwell	Kimberly	Shaff	
Campbell	McIntosh	Shane	

Nays, none.

Absent or not voting, 12.

Bergman	Gilchrist	Johnston	Reed
Brookhart	Goodwin	Olson	Smith
Cessna	Haskell	Perkins	Tuck

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

On motion of Senator Dutcher Senate File No. 610, a bill for an act to amend sections seventy-one hundred fifty-nine (7159),

seventy-one hundred sixty (7160), seventy-one hundred sixty-two (7162), seventy-one hundred ninety-eight (7198) and seventy-four hundred fifty-one (7451 of the compiled code, relating to civil practice and procedure, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dutcher offered the following amendment and moved its adoption:

Amend as follows:

1. By striking out the period after the last word in the title to the bill and inserting after said word "procedure" the words "and sessions of the district court".

2. By striking from line one of section two the words "a court of record" and inserting in lieu thereof the words "the district court".

3. By inserting in line nine of section two thereof after the word "before" in said line the words "noon of the succeeding day after the", and by striking from said line nine the article "a".

4. By striking from line twelve of section four of said bill the words "or fraction thereof".

5. By striking from line two of section six the words "except the trial of jury cases".

6. By striking from line six of section five the word "second" and inserting in lieu thereof the word "succeeding".

The amendments were adopted.

The bill was read for information.

Senator Dutcher moved that the reading just had be considered the third reading which motion prevailed.

Senator Dutcher invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Abben	Dutcher	Kimberly	Slosson
Adams	Fulton	Mantz	Smith
Banta	Gilchrist	Mead	Stoddard
Bergman	Goodwin	Perkins	Thurston
Bowman	Hale	Price	White
Brookhart	Hartman	Rees	Wichman
Campbell	Holdoegel	Scott	
Darting	Horchem	Shaff	

Nays, 14.

Baird	Caldwell	Newberry	Snook
Brookins	Johnston	Romkey	Tuck
Browne	McIntosh	Shane	
Buser	Nelson	Shinn	

Absent or not voting, 5.

Cessna	Haskell	Olson	Reed
Ethell			

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

On motion of Senator Romkey, Senate File No. 645, a bill for an act to amend section one (1) of chapter two hundred and ten (210) acts of the Thirty-ninth (39th) General Assembly relating to contracts and maintenance bonds for street and sewer 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 Romkey moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Baird	Gilchrist	Mead	Slosson
Banta	Goodwin	Newberry	Snook
Bowman	Hale	Perkins	Stoddard
Brookhart	Hartman	Price	Thurston
Browne	Holdoegel	Romkey	White
Buser	Horchem	Scott	Wichman
Campbell	Johnston	Shaff	
Darting	Kimberly	Shane	
Dutcher	McIntosh	Shinn	

Nays, none.

Absent or not voting, 16.

Abben	Caldwell	Haskell	Reed
Adams	Cessna	Mantz	Rees
Bergman	Ethell	Nelson	Smith
Brookins	Fulton	Olson	Tuck

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

On motion of Senator Darting, Senate File No. 547, a bill for an act to legalize certain warrants issued by Mills county on the bridge, road and general funds and to authorize the execution and sale of bonds to fund the same, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Romkey moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Darting	Kimberly	Shaff
Baird	Ethell	McIntosh	Shane
Banta	Gilchrist	Mantz	Shinn
Bowman	Goodwin	Mead	Snook
Brookhart	Hale	Nelson	Stoddard
Brookins	Hartman	Newberry	Thurston
Browne	Holdoegel	Price	White
Caldwell	Horchem	Romkey	
Campbell	Johnston	Scott	

Nays, none.

Absent or not voting, 15.

Adams	Dutcher	Perkins	Smith
Bergman	Fulton	Reed	Tuck
Buser	Haskell	Rees	Wichman
Cessna	Olson	Slosson	

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

On motion of Senator Stoddard, Senate File No. 549, a bill for an act to compensate Woodbury County, Iowa, for money expended by Woodbury county for the hearing, commitment and transportation of certain insane patients who were charges of the state of Iowa, 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 Senate File No. 549 by striking out all parts thereof following the title and inserting in lieu thereof the following:

Whereas, The board of supervisors of Woodbury county, Iowa, has allowed and paid the cost of hearing and transportation of certain patients who were not residents of the state of Iowa, and who were committed to the Cherokee State Hospital as charges of the state of Iowa, and not the charges of Woodbury county, Iowa, and

Whereas, The transportation charges as paid were occasioned by a shortage of help at the Cherokee State Hospital making it impossible for attendants of said hospital to accompany the patients upon commitment and requiring that they be taken from Sioux City, Iowa, to Cherokee, Iowa, by employees of Woodbury county, and

Whereas, The board of control of state institutions has been unable to approve, allow and pay said claims for the reason that Woodbury county did not present said claims for approval within two years from the date of said hearing and commitment, and

Whereas, All of said money was expended by Woodbury county, Iowa, for the use and benefit of the state of Iowa and not for Woodbury county, Iowa, and

Whereas, The details of said claims are now on file in the office of the auditor of state, and

Whereas, The correct amounts of said payments made on behalf of the state of Iowa is eight hundred thirty-eight dollars and thirty-five cents (\$838.35), now therefore,

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, the sum of eight hundred thirty-eight dollars and thirty-five cents (\$838.35) as compensation and remuneration to pay Woodbury county, Iowa, for the money so advanced in behalf of the state of Iowa, and the auditor of state is hereby directed to issue a warrant accordingly.

The amendment was adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Darting	Kimberly	Shaff
Adams	Ethell	McIntosh	Shane
Baird	Gilchrist	Mantz	Slosson
Banta	Goodwin	Mead	Snook
Bowman	Hale	Nelson	Stoddard
Brookins	Hartman	Newberry	Thurston
Caldwell	Holdoegel	Rees	Tuck
Campbell	Horchem	Romkey	White
Cessna	Johnston	Scott	Wichman

Nays, none.

Absent or not voting, 13.

Bergman	Dutcher	Perkins	Shinn
Brookhart	Fulton	Price	Smith
Browne	Haskell	Reed	
Buser	Olson		

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

On motion of Senator Cessna Senate File No. 630, a bill for an act invalidating certain state warrants and providing for the issuance of new warrants 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 Cessna moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Darting	Kimberly	Shane
Adams	Ethell	Mantz	Shinn
Baird	Gilchrist	Nelson	Slosson
Banta	Goodwin	Newberry	Snook
Bowman	Hale	Price	Stoddard
Brookhart	Hartman	Rees	Thurston
Brookins	Holdoegel	Romkey	Tuck
Campbell	Horchem	Scott	White
Cessna	Johnston	Shaff	Wichman

Nays, none.

Absent or not voting, 13.

Bergman	Dutcher	Mead	Reed
Browne	Fulton	Olson	Smith
Buser	Haskell	Perkins	
Caldwell	McIntosh		

The bill having received a consitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mantz Senate File No. 666, a bill for an act to amend the law as it appears in section six hundred sixteen (616), supplement to the code, 1913 (C. C. 3485), relating to the taxation of agricultural lands within cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Abben	Cessna	Kimberly	Shinn
Adams	Darting	McIntosh	Slosson
Baird	Ethell	Mantz	Snook
Banta	Gilchrist	Mead	Stoddard
Bowman	Goodwin	Nelson	Thurston
Brookhart	Hale	Newberry	Tuck
Brookins	Hartman	Rees	White
Buser	Holdoegel	Scott	Wichman
Caldwell	Horchem	Shaff	
Campbell	Johnston	Shane	

Nays, none.

Absent or not voting, 11.

Bergman	Fulton	Perkins	Romkey
Browne	Haskell	Price	Smith
Dutcher	Olson	Reed	

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

On motion of Senator Adams, House File No. 440, a bill for an act to amend section one thousand three hundred eighty-three (1383) of the supplement to the code, 1913, (C. C. 4609) relating to the division and proportionment and entry of tax installments on the tax list by the county auditor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Abben	Ethell	Mantz	Shinn
Adams	Gilchrist	Mead	Snook
Baird	Goodwin	Nelson	Stoddard
Banta	Hale	Newberry	Tuck
Bowman	Hartman	Price	White
Brookhart	Holdoegel	Rees	Wichman
Brookins	Horchem	Scott	
Caldwell	Kimberly	Shaff	
Campbell	McIntosh	Shane	

Nays, 1.

Slosson

Absent or not voting, 15.

Bergman	Darting	Johnston	Romkey
Browne	Dutcher	Olson	Smith
Buser	Fulton	Perkins	Thurston
Cessna	Haskell	Reed	

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

On motion of Senator Shane, House File No. 711, a bill for an act to amend the law as it appears in section twenty-five hundred eighty-nine-d (2589-d), supplement to the code, 1913, as amended by chapter ninety-five (95), acts of the Thirty-eighth General Assembly (C. C. 1420), relating to the examination and the registration of pharmacists, 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 reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass " the vote was:

Ayes, 39.

Abben	Campbell	Kimberly	Shaff
Adams	Cessna	McIntosh	Shane
Baird	Ethell	Mead	Shinn
Banta	Fulton	Nelson	Slosson
Bergman	Gilchrist	Newberry	Snook
Bowman	Goodwin	Perkins	Stoddard
Brookhart	Hale	Price	Thurston
Brookins	Hartman	Rees	Tuck
Buser	Horchem	Romkey	Wichman
Caldwell	Johnston	Scott	

Nays, none.

Absent or not voting, 10.

Browne	Haskell	Olson	White
Darting	Holdoegel	Reed	
Dutcher	Mantz	Smith	

The bill having received a consitutional majority was declared to have passed the Senate and the title was agreed to.

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 665 as follows:

1st. By striking out all of section 1 following the period found in line 11.

2nd. By inserting the words "area of the" between the words "the" and "district" found in line 11 of section 3.

3rd. By striking out the words "its" in line 11 section 3 and inserting the word "the" in lieu thereof.

4th. By inserting the words "of such area" before the word "for" found in line 12 section 3.

5th. By inserting the word "after" before the word "a" found in line 7 section 4.

6th. By striking out the following words in lines 10, 11 and 12 of section 5 "therefrom, or of those directly opposite thereto extending the depth of one lot or not to exceed 200 feet."

7th. By striking out all of section 7 and inserting in lieu thereof the following:

Section 7. The council shall provide for the appointment of a board of adjustment and in the regulations and restrictions adopted pursuant to the authority of this act shall provide that the said board of adjustment may in appropriate cases and subject to appropriate conditions and safeguards make special exceptions to the terms of the ordinances in harmony with its general purpose and intent and in accordance with general or specific rules therein contained and provide that any property owner aggrieved by the action of the council in the adoption of such regulations and restrictions may petition the said board of adjustment direct to modify regulations and restrictions as applied to such property owners.

The board of adjustment shall consist of five members each to be appointed for a term of five years, excepting that when the board shall first be created one member shall be appointed for a term of five years, one for a term of four years, one for a term of three years, one for a term of two years, and one for a term of one year. Members shall be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

The board shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this act. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Such chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record.

Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time as provided by the rules of the board by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown.

The board of adjustment shall have the following powers:

- (1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this act or of any ordinance adopted pursuant thereto.

- (2) To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance.

- (3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done.

In exercising the above-mentioned powers such board may, in conformity with the provisions of this act, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

The concurring vote of three members of the board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance or to effect any variation in such ordinance.

Any person or persons, jointly or severally aggrieved by any decision of the board of adjustment under the provisions of this act, or any taxpayer, or any officer, department, board or bureau of the municipality, may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty days after the filing of the decision in the office of the board.

Upon the presentation of such petition, the court may allow a writ of certiorari directed to the board of adjustment to review such decision of the board of adjustment and shall prescribe therein the time within which a return thereto must be made and served upon the relator's attorney, which shall not be less than ten days and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the board and on due cause shown, grant a restraining order.

The board of adjustment shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.

If upon the hearing which shall be tried de novo it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.

Costs shall not be allowed against the board, unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from.

All issues in any proceedings under this section shall have preference over all other civil actions and proceedings.

8th. By striking out the word "of" at the end of line 2 section 9 and inserting in lieu thereof the word "or".

9th. By numbering the present section 10 section 11 and inserting as section 10 the following:

"Section 10. When any city or town shall have taken advantage of and proceeded under the provisions of this act then chapter 138 of the acts of the Thirty-seventh General Assembly and acts amendatory thereof shall be no longer operative as to such city or town.

H. J. MANTZ.

The Journal of March 31st was corrected and approved.

On motion of Senator Newberry the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

On motion of Senator Horchem the House was requested to return Senate File No. 332.

On motion of Senator Gilchrist the House was requested to return Senate File No. 438.

By unanimous consent Senator Stoddard withdrew Senate File No. 550 from further consideration.

By unanimous consent Senator Abben withdrew Senate File No. 516 from further consideration.

BILLS SIGNED BY THE PRESIDENT

The president announced that, as president of the senate, he had signed in the presence of the Senate House Files Nos. 297, 327, 340 and 476.

By unanimous consent Senator Thurston withdrew Senate File No. 318 from further consideration.

On motion of Senator Newberry the Senate adjourned until 9 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 3, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. W. H. Leas, of Laurens, Iowa.

On motion of Senator Brookhart rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Gilchrist until Thursday, on his own request.

INTRODUCTION OF BILLS

Senate File No. 721, by committee on suppression of intemperance, a bill for an act relating to property offered as a stake, prize or premium, or staked, paid, bet, wagered, laid or deposited in connection with or as a part of any game of chance, lottery, gambling scheme or device, gift enterprise, or any other trade scheme unlawful under the laws of this state; and providing for the seizure of such property and its disposition.

Read first and second times and placed on calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 501, a bill for an act to amend section eight hundred eighty-seven (887) of the code, (C. C. 4030) relating to a tax for the general fund of cities and towns.

Also, that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 450, a bill for an act to amend section seven hundred two (702) of the code of 1897 (C. C. 3605) relating to the powers of cities and towns.

Also, 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 making workmen's compensation awards exempt from garnishment, attachment and execution.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 702, a bill for an act to amend section nineteen hundred eighty-nine-a twenty-six (1989-a26), supplement to the code, 1913 (C. C. 1874), relating to the payment in full of drainage district special assessments for which drainage certificates have been issued.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 695, a bill for an act to amend section twenty-eight hundred fifteen (2815) of the code, as amended by chapter twenty-six (26), section two (2), acts of the Thirty-seventh General Assembly (C. C. 2642), relating to condemnation of land for school purposes.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 515, a bill for an act to amend section thirty-eight hundred seventy-two (3872) of the code, as amended by chapter two hundred seventy-five (275), acts of the Thirty-ninth General Assembly (S. C. C. 7633), relating to the taxation of jury fees as part of the costs.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 594, a bill for an act to create a department of agriculture, to consolidate thereunder certain governmental agencies and departments, to terminate the term of office and duties of certain officers in effecting said consolidation, to create the office of secretary of agriculture, to provide for the filling of said office and to determine the powers, duties, and compensation of the incumbent.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 575, a bill for an act to amend section one thousand fifty-six-a eighteen (1056-a18), supplement to the code, 1913, (C. C. sec. 4216) section one thousand fifty-six-a thirty-six (1056-a36), supplement to the code, 1913, (C. C. sec. 4236) section one thousand fifty-six-a thirty-eight (1056-a38), supplement to the code, 1913, (C. C. sec. 4238), section one thousand fifty-six-a thirty-nine (1056-a39), supplement to the code, 1913, (C. C. sec. 4239), and section one thousand fifty-six-a forty (1056-a40), supplement to the code, 1913, (C. C. sec. 4240), relating to petitions in commission governed cities.

Also, 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 section two thousand five hundred sixty-two-b (2562-ab) of the supplemental supplement to the code, 1915, (C. C. 1137) relating to the ownership and title of wild game, animals, birds and fish.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 738, a bill for an act to legalize all elections by the town of Kent, all acts and resolutions of the council of the town of Kent during the period from the incorporation of said town in nineteen hundred three (1903) to and including the year nineteen hundred seven (1907).

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 599, a bill for an act to amend section two (2) of chapter one hundred seventy-three (173) acts of the Thirty-ninth General Assembly, relating to the sale of anti-hog cholera serum and virus and biological products.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 630, a bill for an act to amend the law as it appears in section one (1) of chapter three hundred eighty-eight (388), acts of the Thirty-seventh General Assembly (C. C. 6551), relating to absence of acknowledgments or defective acknowledgments.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 641, a bill for an act to amend chapter seven (7), acts of the Thirty-ninth General Assembly relating to the licensing of chiropractors and the regulation of the practice of chiropractic.

Also, that the House has concurred in Senate amendments to House File 281, a bill for an act to amend section ten (10), chapter two hundred eighty-seven (287), laws of the Thirty-eighth General Assembly, relating to the basis of valuation of tubercular cattle.

Also, that the House has concurred in Senate amendments to House File 677, a bill for an act relating to the levying, under certain conditions, of a school house tax by independent school districts and the issuing of certificates or bonds in anticipation of the collection of such tax and providing for a special school house fund.

Also that the House has concurred in Senate amendments to House File No. 425, a bill for an act to regulate the disinterment of dead bodies of human beings and opening of caskets containing the same or autopsy thereon, prescribing the powers and duties of the state board of health in connection therewith and providing penalty for the violation of this act.

Also, that the House has concurred in Senate amendments to House File No. 120, a bill for an act to amend, revise, and codify chapter four (4) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to state road districts, and the improvement and maintenance thereof.

Also, that the House has concurred in Senate amendments to House concurrent resolution relative to the inspection of state house elevators.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 641, a bill for an act to amend chapter seven (7) acts of the Thirty-ninth General Assembly relating to the licensing of chiropractors and the regulation of the practice of chiropractic.

Read first and second time and referred to committee on public health.

House File No. 561, a bill for an act to making workmen's compensation awards exempt from garnishment, attachment and execution.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 501, a bill for an act to amend section eight hundred eighty-seven (887) of the Code (C. C. 4030), relating to a tax for the general fund of cities and towns.

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

House File No. 702, a bill for an act to amend section nineteen hundred eighty-nine-a twenty-six (1989-a26), supplement to the code, 1913, (C. C. 4874), relating to the payment in full of drainage district special assessments for which drainage certificates have been issued.

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

House File No. 695, a bill for an act to amend section twenty-eight hundred fifteen (2815) of the code, as amended by chapter twenty-six (26), section two (2), acts of the Thirty-seventh General Assembly (C. C. 2642), relating to condemnation of land for school purposes.

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

House File No. 515, a bill for an act to amend section thirty-eight hundred seventy-two (3872) of the code, as amended by chapter two hundred seventy-five (275), acts of the Thirty-ninth General Assembly (S. C. C. 7633), relating to the taxation of jury fees as part of the costs.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 575, a bill for an act to amend section one thousand fifty-six-a-eighteen (1056-a-18), supplement to the code, 1913, (C. C. sec. 4216) section one thousand fifty-six-a-thirty-six (1056-a-36), supplement to the code, 1913, (C. C. sec. 4236) section one thousand fifty-six-a-thirty-eight (1056-a-38), supplement to the code, 1913, (C. C. sec. 4238), section one thousand fifty-six-a-thirty-nine (1056-a-39), supplement to the code, 1913, (C. C. sec. 4239), and section one thousand fifty-six-a-forty, (1056-a-40), supplement to the code, 1913, (C. C. sec. 4240), relating to petitions in commission governed cities.

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

House File No. 423, a bill for an act to amend section two thousand five hundred sixty-two-b (2562-b) of the supplemental supplement to the code, 1915, (C. C. 1137) relating to the ownership and title of wild game, animals, birds and fish.

Read first and second time and referred to committee on fish and game.

House File No. 738, a bill for an act to legalize all elections of the town of Kent, all acts and resolutions of the council of the town of Kent during the period from the incorporation of said town in nineteen hundred three (1903) to and including the year nineteen hundred seven (1907).

Read first and second time and referred to committee on judiciary No. 2.

House File No. 599, a bill for an act to amend section two (2), chapter one hundred seventy-three (173), acts of the Thirty-ninth General Assembly, relating to the sale of anti-hog cholera serum and virus and biological products.

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

House File No. 630, a bill for an act to amend the law as it appears in section one (1) of chapter three hundred eighty-eight (388), acts of the Thirty-seventh General Assembly (C. C. 6551), relating to absence of acknowledgments or defective acknowledgments.

Read first and second time and referred to committee on judiciary No. 1.

REPORTS OF COMMITTEES

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to whom was referred House File No. 492, a bill for an act providing for the completion of the roster of Iowa soldiers, sailors and marines as provided by chapter 331, laws of the Thirty-eighth General Assembly and making an additional appropriation therefor, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

B. M. STODDARD, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on appropriations to whom was referred Senate File No. 468, a bill for an act to appropriate sufficient funds to care for drainage assessments in connection with the drainage of Goose Lake, Greene county, Iowa, beg leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to whom was referred Senate File No. 354, a bill for an act making appropriations for the erection, repair and improvement of buildings, etc., for state institutions, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking from lines three (3) and four (4) of section one (1) of the printed bill the words and figures one million six hundred and fourteen thousand four hundred dollars (\$1,614,400.00) and insert in lieu thereof the words and figures one million five hundred sixty-four thousand four hundred dollars (\$1,564,400.00).

Amend by striking from lines twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26) and twenty-seven (27), the words and figures eight hundred thirty-two thousand two hundred dollars (\$832,200.00) and inserting in lieu thereof the words and figures seven hundred eighty-two thousand two hundred dollars (\$782,200.00).

Amend by adding after line twelve (12) of section five (5) of the printed bill the item—"For Dormitory—\$50,000.00".

Amend by striking from line eighteen (18) of section five (5) the figures "\$66,000.00" and inserting in lieu thereof the figures \$116,000."

Amend by striking from section eleven (11), line five (5) the following "For building for inebriates \$50,000." Also amend by striking out the figures "\$80,000" in line seven (7) of said section and insert in lieu thereof the figures "\$30,000.00".

Amend by striking from line nine (9), section thirteen (13) the figures "\$175,000.00" and insert in lieu thereof the figures "\$150,000.00". Also by striking from line twelve (12) of said section the figures "\$230,500.00" and insert in lieu thereof the figures "\$205,500.00".

Amend by striking from line nine (9), section fifteen (15) the figures "\$150,000.00" and insert in lieu thereof the figures "\$125,000.00". Also by striking from line thirteen (13) of said section the figures "\$184,000.00" and insert in lieu thereof the figures "\$159,000.00".

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to whom was referred Senate File No. 446, a bill for an act to compensate George A. Gardner for injuries received while assisting in showing a dairy herd of the Mt. Pleasant state hospital at the Jefferson County Fair, and for the loss and damages resulting therefrom, beg leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by adding as section two (2) of the bill the following: "That Senator C. J. Fulton is hereby appointed trustee of the fund and that he is authorized and directed to expend the money in such manner as in his judgment shall be to the best interests of the claimant."

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to whom was referred Senate File No. 510, a bill for an act authorizing the fish and game warden to pay the bill for transporting the Iowa state fish car "Hawkeye" No. 2 in 1913 and 1915, and legalizing his acts in respect thereto, beg leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Senator Newberry submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 295, a bill for an act to amend section twenty-eight hundred four-b (2804-b), supplement to the code, 1913 (C. C. 2628), relating to services for raising the flag at school houses, begs leave to report it has had the same under consideration and recommends 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 two thousand eight hundred four-b (2804-b), supplement to the code, 1913 (C. C. 2628), be amended by striking out the

period (.) at the end of said section and inserting in lieu thereof a semicolon (;), and by then adding thereto the following: 'and on all legal holidays and days when special exercises or ceremonies are to take place in the school or community, such flag shall be so raised, if weather conditions will permit.'"

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

PACKERS' MERGER RESOLUTION CONSIDERED

Senator Gilchrist called up the following resolution for consideration.

Whereas, A merger is contemplated of the interests of the two great packing houses of Armour & Company and of Morris & Company, both engaged in buying and selling live stock, meat products and other food stuffs in interstate commerce, and

Whereas, The business methods of these two great family companies, with three others, all jointly known as the "Big Five", were investigated in recent years by the federal trade commission, a responsible department of our government, with a view of ascertaining their legality, fairness and probity; and the report filed as a result of such investigation indicated that these five great packing concerns, by unfair means, had obtained a dominant position in the live stock industry, that they pooled their interests, that they partitioned off territory among themselves for exploitation, that they agreed to division of purchases in definite and fixed percentages, that they controlled at their own will the prices at which they bought the live stock of the farmer, feeder and producer in the yards, as well as also the prices at which they sold meats and meat products to consumers, retailers and butchers on the block, that they were able also to stifle competition and held in their own hand the fortunes of all rivals, and that they were reaching out for mastery in many related, as well as unrelated, lines of trade, and

Whereas, They have at all times denied these evil and unfair practices and have asserted their own innocence and good intentions, affirming that they were fairly competing with each other in open trade; that nevertheless they have opposed the enactment and sought to enjoin the enforcement of the packers and stockyards act of January 24, 1921, placing such concerns under the control of the government and prohibiting all persons engaged in interstate commerce from attempting unfair, discriminating or deceptive practices, from manipulating or controlling prices, or otherwise creating a monopoly or restraining commerce—an act which has been sustained by the courts and is now in the keeping of Hon. H. C. Wallace of Iowa, Secretary of Agriculture, who is opposing the contemplated merger as an unwholesome and illegal alliance, contrary to the principles of sound public policy and of correct economic practice, and

Whereas, The live stock industry is essential to the well-being of Iowa, the fertility of its soil, the prosperity of its business, and the happiness

of its people; and any threat or menace to this industry is an alarm to the whole state; now, therefore,

Be It Resolved by the Senate, the House concurring:

Section 1. That it disapproves of the contemplated merger because it seems further to disclose an illegal combination in restraint of trade as indicated in the report of said commission; because it discloses that the protestations of innocence as made by the members of the "Big Five" are not founded in sincerity; because it further attempts to eliminate competitive enterprise from the field of live stock buying, selling and processing; because it will tend to vest control of the market in live stock on the hoof, as well as meat on the block, in the hands of a few great monopolistic and hereditary concerns to the danger and detriment of the public; because it will unite vast power to do evil into centralized control and tempt the greed of selfish interest; because it is contrary to established political and economic principles and to sound public policy; because it will be an example for evil emulation; because it is, in short, illegal and contrary to enactments of the federal congress in the Sherman Anti-Trust Act, the Federal Trade Commission Act, the Packers and Stockyards Act, and many other acts which denounce illegal and wicked combination in restraint of trade in interstate commerce.

Be It Further Resolved, That the action of Hon. H. C. Wallace, Secretary of Agriculture, in resisting this proposed combination, is heartily approved. May his sword have keen edge.

Senator Shane 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, 35.

Abben	Darting	McIntosh	Shane
Adams	Ethell	Mead	Shinn
Bowman	Fulton	Nelson	Slosson
Brookhart	Gilchrist	Newberry	Snook
Brookins	Goodwin	Perkins	Stoddard
Browne	Holdoegel	Price	Tuck
Buser	Horchem	Rees	White
Campbell	Johnston	Romkey	Wichman
Cessna	Kimberly	Scott	

Nays, none.

Absent or not voting, 14.

Baird	Dutcher	Mantz	Smith
Banta	Hale	Olson	Thurston
Bergman	Hartman	Reed	
Caldwell	Haskell	Shaft	

The resolution was adopted.

THIRD READING OF BILLS

On motion of Senator Fulton Senate File No. 381, a bill for an

act to amend chapter one hundred ninety-one (191), acts of the Thirty-ninth (39th) General Assembly, (S. C. C. 4036-a1, 4036-a2, 4036-a3), relative to poll tax and providing a penalty for non-payment, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fulton moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Abben	Ethell	Mantz	Shaff
Adams	Fulton	Newberry	Shane
Baird	Goodwin	Olson	Shinn
Banta	Hale	Perkins	Slosson
Bowman	Hartman	Price	Snook
Brookins	Horchem	Rees	Tuck
Darting	Johnston	Romkey	White
Dutcher	McIntosh	Scott	Wichman

Nays, 4.

Browne	Buser	Campbell	Nelson
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Absent or not voting, 13.

Bergman	Haskell	Reed	Thurston
Caldwell	Holdoegel	Smith	Brookhart
Cessna	Kimberly	Stoddard	
Gilchrist	Mead		

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

On motion of Senator Banta, Senate File No. 460, a bill for an act to provide funds for completing sheep barn, and for maintenance, repairs and improvements on the state fair grounds, 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.

The following amendments were considered:

Amend by striking out lines three (3) and four (4) of section one (1) the words and figures sixty-five thousand dollars (\$65,000), and insert in lieu thereof the words and figures thirty thousand dollars (\$30,000). Also amend by striking out of section one (1) lines five (5), six (6) and seven (7).

Senator Bowman moved the previous question.

On the question "Shall the previous question be ordered?" the vote was:

Ayes, 19.

Abben	Fulton	Horchem	Slosson
Adams	Gilchrist	McIntosh	Thurston
Bowman	Hale	Mantz	White
Dutcher	Hartman	Olson	Wichman
Ethell	Holdoegel	Shaff	

Nays, 24.

Baird	Cessna	Nelson	Shane
Banta	Darting	Newberry	Shinn
Brookhart	Goodwin	Perkins	Smith
Brookins	Johnston	Price	Snook
Browne	Kimberly	Romkey	Stoddard
Buser	Mead	Scott	Tuck

Absent or not voting, 6.

Bergman	Campbell	Reed
Caldwell	Haskell	Rees

The motion was lost.

The committee amendment was rejected.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by striking from line 5 of section 1 the words "to complete the sheep barn" and inserting in lieu thereof the words "to erect a barn for housing the baby beef exhibit."

The amendment was lost.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Dutcher	Horchem	Scott
Adams	Ethell	Kimberly	Shaff
Baird	Fulton	McIntosh	Shinn
Banta	Gilchrist	Mantz	Slosson
Bowman	Goodwin	Mead	Stoddard
Brookhart	Hale	Newberry	Tuck
Brookins	Hartman	Olson	White
Caldwell	Haskell	Perkins	Wichman
Darting	Holdoegel		

Nays, 11.

Browne	Johnston	Rees	Shane
Buser	Nelson	Romkey	Smith
Cessna	Price		Snook

Absent or not voting, 4.

Bergman	Campbell	Reed	Thurston
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Bowman, Senate File No. 329, a bill for an act to amend chapter 237 of the acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly, and sections 8, 13, 14, 18 and 36 of said chapter (C. C. sec. 2916, 2921, 2922, 2928, 2944) relating to the construction, improvement and maintenance of highways so as to provide for the payment of a portion of the cost of graveling any primary road by special assessments and to provide for the improvement of the secondary roads and to provide for the payment of the cost of the improvement of secondary roads by contribution from the county's allotment of the primary road fund, 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 striking out all after the enacting clause and substituting in lieu thereof the following:

"Section 1. That chapter two hundred thirty-seven (237) of the acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly be and the same is hereby amended as follows: by changing the word 'seventy-five' where it appears in line five (5) of said section to the words 'eighty-seven and a half.' Also by amending section fourteen (14) of said chapter (C. C. sec. 2922) by changing the word 'twenty-five' where it appears in line twenty-one (21) thereof to the words 'twelve and one half'. Also by amending section eighteen (18) of said chapter (C. C. sec. 2926) by changing the word 'twenty-five' where it appears in lines two (2) and eleven (11) thereof to the words 'twelve and one-half'. Also by amending section thirty-six (36) of said chapter (C. C. sec. 2944) by changing the word 'seventy-five' where it appears in lines sixty-seven (67) and sixty-nine (69) of said section to the words 'eighty-seven and a half'.

Sec. 2. That chapter two hundred thirty-seven (237) of the acts of the Thirty-eighth General Assembly as amended by acts of the Thirty-ninth General Assembly be and the same is hereby amended by inserting immediately following section forty-five (45) (C. C. sec. 2953) thereof the following:

Whenever any part of the cost of the improvement of any portion of the primary road system is paid by special assessments, as in this chapter provided, the state highway commission shall at the time it certified the portion of the cost of said improvement to be paid from the county's allotment of the primary road fund, certify to the auditor of state the total amount of the special assessments for such improvement in the

assessment district. The auditor of state shall, at once, upon receipt of said certificate issue a warrant equal in amount to the total special assessment so certified. Such warrants shall be payable to the treasurer of the county in which the assessment district is located, and shall be paid by the treasurer of state from the county's allotment of the primary road fund. The money so received by the county treasurer shall be deposited by him in a special road fund to be expended by order of the board of supervisors, for the improvement of all county and township roads located within the assessment district for which the money was paid. If all of the money so received is not required for the improvement of the roads in that assessment district, any balance remaining shall be expended for the improvement of such roads extending into adjoining districts. Whenever any assessment district lies in more than one county and the boards of supervisors are unable to agree on its limits, or which county shall construct the improvement, or as to any other matter connected therewith, either board may apply to the state highway commission for a decision in the matter. Said commission shall determine any matter so submitted to it, and its order shall be final.

Sec. 3. In all cases where assessments of 25% for hard surfacing have heretofore been levied against adjoining property under the provisions of chapter two hundred thirty-seven (237) of the 38th General Assembly and amendments thereto, and such assessments have either been paid or certificates issued to cover deferred installments, all of the same over and above 12½ per cent shall be refunded to such parties out of the motor vehicle portion of the primary fund allotment to the counties in which such levies were made or out of the funds arising from the sale of primary road bonds voted by such counties. The board of supervisors may determine whether such refund shall be made in one sum or in annual installments not exceeding five and in no case shall interest be allowed on the amounts so refunded.

In case of sale of such adjoining lands prior to making such refund and such assessments have not been paid in full, the same shall be paid to the parties interested in proportion to the amount paid or assumed by them respectively or as may be agreed between such parties at the time such refund is made.

Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Des Moines Capital and the Des Moines News, newspapers published at Des Moines, Iowa.

Also, to amend the title so as to read as follows:

An act to amend chapter two hundred thirty-seven (237) of the acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly, and sections thirteen (13), fourteen (14), eighteen (18) and thirty-six (36) of said chapter (C. C. sec. 2921, 2922, 2928, 2944) relating to the construction, improvement and maintenance of highways and to provide for the payment of the cost of the improvement of secondary roads by contribution from the county's allotment of the primary road fund and providing for a refund of a part of the assessment heretofore made.

By unanimous consent on request of Senator Dutcher the word "thirteen" was inserted after the word "section" in line 5 of section 1 of the committee amendment.

Senator Price offered the following amendment to the amendment and moved its adoption:

Add to the end of section 3 the following: "Nothing in this act shall invalidate or void any contract affecting the same."

The amendment was adopted.

Senator Cessna offered the following amendment to the committee amendment and moved its adoption:

Amend by striking out all after section 1.

Senator Cessna withdrew his amendment.

Senator Bowman invoked rule 8.

On the question, "Shall the committee amendments be adopted?" the vote was:

Ayes, 26.

Abben	Darting	Horchem	Scott
Adams	Dutcher	McIntosh	Shaff
Baird	Gilchrist	Mantz	Stoddard
Banta	Goodwin	Newberry	White
Bowman	Hartman	Olson	Wichman
Brookins	Haskell	Perkins	
Caldwell	Holdoegel	Rees	

Nays, 20.

Brookhart	Ethell	Nelson	Slosson
Browne	Fulton	Price	Smith
Buser	Hale	Romkey	Snook
Campbell	Johnston	Shane	Thurston
Cessna	Kimberly	Shinn	Tuck

Absent or not voting, 3.

Bergman	Mead	Reed
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Senator Price raised the point of order that the amendment could not be passed except by a two-thirds vote of the Senate under section 31 of the legislative department of the constitution on page 90 of the code of 1897.

The President held the point of order not well taken as this section did not pertain to amendments.

The amendment was adopted.

The bill was read for information.

Senator Bowman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Abben	Darting	McIntosh	Scott
Adams	Dutcher	Mantz	Shaff
Baird	Gilchrist	Mead	Shane
Banta	Goodwin	Newberry	Slosson
Bowman	Hartman	Olson	Stoddard
Brookins	Holdoegei	Perkins	Wichman
Caldwell	Horchem	Rees	

Nays, 18.

Brookhart	Ethell	Price	Snook
Browne	Fulton	Romkey	Thurston
Buser	Hale	Shinn	Tuck
Campbell	Johnston	Smith	White
Cessna	Nelson		

Absent or not voting, 4.

Bergman	Haskell	Kimberly	Reed
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bowman moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Price raised the point of order that this bill as amended provides for an appropriation of state funds for private use and that same requires a two-thirds vote under section 31 of the legislative department of the constitution, on page 90 of the code of 1897.

The President held that inasmuch as this was a special assessment, and courts have held that debts for special assessments are really not debts within constitutional limitations, that the point was not well taken.

Senator Banta called up Senator Newberry's motion to reconsider the vote by which Senate File No. 469 failed to pass the Senate.

Senator Buser moved the previous question, which motion prevailed and the previous question was ordered.

Senator Banta invoked rule 8.

On the question "Shall the Senate reconsider the vote by which Senate File 469 failed to pass the Senate?" the vote was:

Ayes, 30.

Adams	Gilchrist	Mantz	Shane
Banta	Hale	Mead	Smith
Bowman	Hartman	Newberry	Stoddard
Brookins	Haskell	Olson	Tuck
Caldwell	Holdoegel	Perkins	White
Darting	Horchem	Rees	Wichman
Dutcher	Kimberly	Scott	
Fulton	McIntosh	Shaff	

Nays, 15.

Abben	Campbell	Nelson	Slosson
Brookhart	Cessna	Price	Snook
Browne	Ethell	Romkey	Thurston
Buser	Johnston	Shinn	

Absent or not voting, 4.

Baird	Bergman	Goodwin	Reed
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The motion prevailed and the vote was reconsidered.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Adams	Gilchrist	McIntosh	Shaff
Banta	Hale	Mantz	Shane
Bowman	Hartman	Mead	Smith
Brookins	Haskell	Newberry	Stoddard
Caldwell	Holdoegel	Olson	Tuck
Darting	Horchem	Perkins	White
Dutcher	Kimberly	Rees	Wichman
		Scott	

Nays, 16.

Abben	Campbell	Johnston	Shinn
Brookhart	Cessna	Nelson	Slosson
Browne	Ethell	Price	Snook
Buser	Fulton	Romkey	Thurston

Absent or not voting, 4.

Baird	Bergman	Goodwin	Reed
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Perkins, Senate File No. 372, a bill for an act to provide for paying from the general funds of the state compensation for all injuries or death of any law enforcing officer injured or killed while in line of duty or from causes arising out of or sustained from their official employment except policemen pensioned under the policemen's pension fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Perkins moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Abben	Darting	Kimberly	Shaff
Adams	Ethell	McIntosh	Shane
Baird	Fulton	Mantz	Shinn
Banta	Goodwin	Mead	Slosson
Bowman	Hale	Newberry	Smith
Brookhart	Hartman	Olson	Stoddard
Brookins	Haskell	Perkins	Thurston
Buser	Holdoegel	Price	Tuck
Caldwell	Horchem	Rees	White
Campbell	Johnston	Scott	Wichman

Nays, 3.

Browne	Nelson	Snook
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Absent or not voting, 6.

Bergman	Dutcher	Reed	Romkey
Cessna	Gilchrist		

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

Senator Brookhart called up his motion to reconsider the vote by which House File No. 537 failed to pass the Senate.

The motion to reconsider prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Caldwell	McIntosh	Shinn
Adams	Campbell	Mantz	Smith
Baird	Darting	Nelson	Snook
Banta	Fulton	Newberry	Stoddard
Bergman	Goodwin	Perkins	Thurston
Bowman	Haskell	Price	Tuck
Brookhart	Holdoegel	Romkey	Wichman
Brookins	Horchem	Scott	
Browne	Johnston	Shane	

Nays, 7.

Buser	Hale	Mead	Slosson
Dutcher	Kimberly	Olson	

Absent or not voting, 8.

Cessna	Gilchrist	Reed	Shaff
Ethell	Hartman	Rees	White

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

Senator Bowman called up his motion to reconsider the vote by which Senate File No. 585 failed to pass the Senate.

Senator Price raised the point of order that a motion to reconsider was not debatable.

The President held the point well taken.

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

Ayes, 24.

Abben	Caldwell	Hale	Newberry
Adams	Darting	Haskell	Perkins
Baird	Dutcher	Holdoegel	Scott
Banta	Fulton	Horchem	Shaff
Bowman	Gilchrist	Kimberly	Stoddard
Brookins	Goodwin	McIntosh	Wichman

Nays, 15.

Browne	Hartman	Romkey	Snook
Buser	Johnston	Shane	Thurston
Campbell	Nelson	Shinn	Tuck
Ethell	Price	Slosson	

Absent or not voting, 10.

Bergman	Mantz	Reed	White
Brookhart	Mead	Rees	
Cessna	Olson	Smith	

The motion to reconsider prevailed.

Senator Bowman invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 26.

Abben	Darting	Holdoegel	Olson
Adams	Dutcher	Horchem	Perkins
Baird	Fulton	Kimberly	Scott
Banta	Gilchrist	McIntosh	Shaff
Bergman	Goodwin	Mantz	White
Bowman	Hale	Newberry	Wichman
Brookins	Haskell		

Nays, 18.

Brookhart	Ethell	Romkey	Stoddard
Browne	Hartman	Shane	Thurston
Buser	Johnston	Shinn	Tuck
Campbell	Nelson	Slosson	
Cessna	Price	Snook	

Absent or not voting, 5.

Caldwell	Reed	Rees	Smith
Mead			

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

Senator Baird called up Senator Banta's motion to reconsider the vote by which House File No. 424 failed to pass the Senate.

Senator Price raised the point of order that the waiver on last Saturday applied only to motions to reconsider filed prior to that date.

The President held the point not well taken, as under the previous rule this matter could be taken up at this time.

The motion to reconsider prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Abben	Campbell	Horchem	Shane
Adams	Fulton	Kimberly	Slosson
Baird	Gilchrist	McIntosh	Stoddard
Banta	Goodwin	Mantz	Thurston
Bergman	Hale	Olson	Tuck
Brookhart	Haskell	Perkins	White
Brookins	Holdoegel	Shaff	Wichman

Nays, 5.

Browne	Nelson	Price	Snook
Buser			

Absent or not voting, 16.

Bowman	Dutcher	Mead	Romkey
Caldwell	Ethell	Newberry	Scott
Cessna	Hartman	Reed	Shinn
Darting	Johnston	Rees	Smith

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

Senator Stoddard called up his motion to reconsider the vote by which Senate File No. 699 failed to pass the Senate.

The motion to reconsider prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Abben	Fulton	Kimberly	Shane
Baird	Goodwin	Newberry	Slosson
Bergman	Hartman	Olson	Stoddard
Bowman	Haskell	Perkins	Thurston
Brookhart	Holdoegel	Romkey	Tuck
Campbell	Horchem	Scott	White
Dutcher	Johnston	Shaff	Wichman

Nays, 10.

Banta	Cessna	McIntosh	Smith
Browne	Gilchrist	Nelson	Snook
Buser	Hale	Shinn	

Absent or not voting, 10.

Adams	Darting	Mead	Rees
Brookins	Ethell	Price	
Caldwell	Mantz	Reed	

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

Senator Price called up his motion to reconsider the vote by which Senate File No. 379 failed to pass the Senate.

The motion to reconsider prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files Nos. 673, 674, 675, and 676.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: House Files Nos. 673, 674, 675 and 676.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 726, a bill for an act to amend section five hundred seventy-six (576), supplement to the code, 1913, as amended by chapter two hundred sixty-one (261), acts of the Thirty-eighth General Assembly (C. C. 3450), relating to the duties of township clerks and the deposit of public funds collected by them.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 797, a bill for an act relating to property offered as a stake, or staked, paid, bet, wagered, laid or deposited in connection with or as a part of any game of chance, lottery, gambling scheme or device, gift enterprise, or any other trade scheme unlawful under the laws of this state; and providing for the seizure of such property and its disposition.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 75, a bill for an act to amend, revise and codify chapter two (2) of title twenty-two (22) of the compiled code of Iowa relating to chattel mortgages and conditional sales of personal property and sales of stocks of merchandise in bulk.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 799, a bill for an act to authorize the executive council to exchange certain lands belonging to the state for other lands located in Delaware county, Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 502, a bill for an act to amend section one (1), chapter two hundred ninety-eight (298), acts of the Thirty-eighth General Assembly (C. C. 2268), relating to the furnishing of information by the superintendent of public instruction relative to regulating teaching and vacancies in teachers' positions.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 762, a bill for an act to amend chapter one hundred sixty-three (163), acts of the Thirty-eighth General Assembly (C. C. 6845), providing for the number of municipal judges.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 761, a bill for an act to amend section two hundred twenty-four-e (224-e), supplemental supplement of the code, 1915, as amended by chapter four hundred two (402), acts of the Thirty-seventh General Assembly, (C. C. 170) relating to distribution of supreme court reports.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 525, a bill for an act repealing the law as it appears in section ninety-seven (97) of the code (C. C. 125), and to enact a substitute therefor, relating to requisitions by the state auditor upon persons and officers for information or statements or accounts.

Also, that the House returns herewith Senate File 332 as requested by the Senate.

Also, that the House returns herewith as requested Senate File No. 438.

A. C. GUSTAFSON, *Chief Clerk.*

REPORTS OF COMMITTEES

Senator Slosson submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to which was referred House File No. 574, a bill for an act to amend sections sixteen (16) and twenty (20) chapter two hundred seventy-five (275), acts of the Thirty-eighth (38) General Assembly, (C. C. sections 3059 and 3063) relating to delinquent motor vehicle fees and defacement of license plates, begs leave to report it has had the same under consideration and recommends the same do pass.

J. M. SLOSSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 633, a bill for an act to repeal section one (1), chapter four hundred twenty-three (423), acts of the Thirty-seventh (37) General Assembly as amended by section thirty-six (36), chapter two hundred seventy-five (275), acts of the Thirty-eighth (38) General Assembly, (C. C. 3079) relating to registering of motor vehicles in garages, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. M. SLOSSON, *Chairman.*

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on motor vehicles to which was referred House File No. 298, a bill for an act to amend chapter 275, acts of the Thirty-eighth General Assembly (supplement to C. C. chap. 17, sec. 3053) relating to the manner of fixing the registration fee on motor vehicles, begs leave to report it has had the same under consideration and recommends the same do pass.

J. M. SLOSSON, *Chairman.*

Ordered passed on file.

Senator Wichman submitted the following report:

MR. PRESIDENT: Your committee on elections to which was referred Senate File No. 675, a bill for an act amending section ten hundred seventy-six (1076) supplemental supplement to the code, 1915, as amended by chapter forty-one (41), acts of the Thirty-seventh General Assembly and chapter one hundred eighty (180), acts of the Thirty-eighth General Assembly (C. C. 409) relating to compensation for members of the board of registration, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. E. WICHMAN, *Chairman.*

The report was adopted and the bill indefinitely postponed.

THIRD READING OF BILLS

On motion of Senator Olson, House File No. 292, a bill for an act to legalize an election in the consolidated independent school district of Milford township, in the county of Story, state of Iowa, on the proposition of issuing bonds and to legalize all acts and proceedings of the board of directors in respect of the issuance and sale of 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 Olson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 26.

Banta	Goodwin	Olson	Smith
Bowman	Haskell	Perkins	Stoddard
Brookins	Holdoegel	Price	Tuck
Browne	Horchem	Rees	White
Buser	McIntosh	Romkey	Wichman
Campbell	Nelson	Shaff	
Ethell	Newberry	Slosson	

Nays, none.

Absent or not voting, 23.

Abben	Cessna	Hartman	Scott
Adams	Darting	Johnston	Shane
Baird	Dutcher	Kimberly	Shinn
Bergman	Fulton	Mantz	Snook
Brookhart	Gilchrist	Mead	Thurston
Caldwell	Hale	Reed	

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

On motion of Senator Romkey, House File No. 469, a bill for an act to amend section nineteen hundred seventy-five (1975) of the code (C. C. 4817) relating to levees, drains and water courses, was substituted for Senate File No. 457 and taken up and considered.

The bill was read for information.

Senator Romkey moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Banta	Goodwin	Olson	Slosson
Brookins	Haskell	Perkins	Smith
Browne	Horchem	Price	Stoddard
Buser	Johnston	Rees	Tuck
Campbell	McIntosh	Romkey	White
Cessna	Mead	Shaff	Wichman
Ethell	Newberry	Shinn	

Nays, none.

Absent or not voting, 22

Abben	Caldwell	Hartman	Scott
Adams	Darting	Holdoegel	Shane
Baird	Dutcher	Kimberly	Sneok
Bergman	Fulton	Mantz	Thurston
Bowman	Gilchrist	Nelson	
Brookhart	Hale	Reed	

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

By unanimous consent Senator Romkey withdrew Senate File No. 457 from further consideration.

On motion of Senator Romkey Senate File No. 644, a bill for an act legalizing certain contracts awarded by the board of supervisors of Des Moines county, Iowa, and the council of the city of Burlington, Iowa, prior to January 1, 1923, for the hard surfacing of certain roads in said county, and authorizing the issuing of certificates in anticipation of the allotments of primary road fund by said county, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Romkey moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Baird	Cessna	Nelson	Shaff
Banta	Ethell	Newberry	Shinn
Brookins	Goodwin	Olson	Slosson
Browne	Holdoegel	Perkins	Stoddard
Buser	Horchem	Price	Tuck
Caldwell	Johnston	Rees	White
Campbell	McIntosh	Romkey	Wichman

Nays, 1.

Haskell

Absent or not voting, 20.

Abben	Darting	Hartman	Scott
Adams	Dutcher	Kimberly	Shane
Bergman	Fulton	Mantz	Smith
Bowman	Gilchrist	Mead	Snook
Brookhart	Hale	Reed	Thurston

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

President Pro Tem Price took the chair at 2 p. m.

On motion of Senator Campbell Senate File No. 683, a bill for an act to amend chapter one hundred nineteen (119), acts of the Thirty-ninth General Assembly, relating to bonded warehouses for agricultural products, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Campbell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Baird	Campbell	Nelson	Shinn
Banta	Cessna	Newberry	Slosson
Bowman	Ethell	Olson	Smith
Brookhart	Haskell	Perkins	Stoddard
Brookins	Holdoegel	Price	Tuck
Browne	Horchem	Romkey	White
Buser	Johnston	Shaff	Wichman
Caldwell	Mead	Shane	

Nays, none.

Absent or not voting, 18

Abben	Fulton	Kimberly	Scott
Adams	Gilchrist	McIntosh	Snook
Bergman	Goodwin	Mantz	Thurston
Darting	Hale	Reed	
Dutcher	Hartman	Rees	

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

On motion of Senator Tuck, Senate file No. 368, a bill for an act relating to the levying of a tax to be known as the county general fund, with report of committee recommending amendments and

passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were rejected:

Amend by striking out the title, and by inserting in lieu thereof the following: "An act to authorize boards of supervisors to transfer certain funds".

Also by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. The board of supervisors of any county shall have power to transfer any unexpended moneys remaining in the county insane fund and the soldiers' relief fund, at the last regular meeting of any year, to the general fund.

"Sec. 2. All acts or parts of acts in conflict with this act are hereby repealed."

Senator Tuck offered the following amendments and moved their adoption:

Amend by inserting the word "county" after the word "of" in line 4 and striking out all of line 6, and line 7 before the word "fourteen", all of line 8 after the figure .014, all of line 9, and the words and figures before and after "in any county" in line 10, and line 11 to the period.

The amendments were adopted.

The bill was read for information.

Senator Tuck moved that 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, 27.

Adams	Darting	Nelson	Smith
Banta	Fulton	Price	Snook
Bergman	Goodwin	Rees	Thurston
Brookhart	Hartman	Romkey	Tuck
Brookins	Johnston	Shane	White
Campbell	McIntosh	Shinn	Wichman
Cessna	Mead	Slosson	

Nays, 17.

Abben	Dutcher	Kimberly	Shaff
Baird	Ethell	Mantz	Stoddard
Bowman	Hale	Newberry	
Buser	Holdoegel	Olson	
Caldwell	Horchem	Scott	

Absent or not voting, 5.

Browne	Haskell	Perkins	Reed
Gilchrist			

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

Senator Tuck moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Adams, House File No. 682, a bill for an act to amend section seventeen hundred eighty-eight (1788) of the supplement to the code, 1913 (C. C. 5512), relating to assessment life associations, and to amend section seventeen hundred eighty-nine (1789) of the code (C. C. 5513), relating to beneficiaries of assessment life associations, and to amend section seventeen hundred ninety-eight-a (1798-a), supplement to the code, 1913, as amended by chapter two hundred thirty-four (234) and chapter four hundred thirteen (413) of the acts of the Thirty-seventh (37th) General Assembly (C. C. 5523), by authorizing the issuance by assessment life associations of certificates or policies of insurance on the legal reserve or level premium plan and providing for the valuation of such policies, and for the investment and use of funds, and the deposit of securities with the commissioner of insurance, having been substituted for Senate File No. 641, was taken up and considered.

The bill was read for information.

Senator Adams moved that 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	Campbell	Mead	Shane
Abben	Cessna	Nelson	Shinn
Baird	Darting	Newberry	Smith
Banta	Goodwin	Olson	Snook
Bergman	Horchem	Perkins	Stoddard
Bowman	Johnston	Price	Thurston
Brookhart	Kimberly	Rees	Tuck
Buser	McIntosh	Romkey	White
Caldwell	Mantz	Scott	Wichman

Nays, none.

, Absent or not voting, 13.

Brookins	Fulton	Haskell	Slosson
Browne	Gilchrist	Holdoegel	
Dutcher	Hale	Reed	
Ethell	Hartman	Shaff	

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

Senator Adams moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent Senator Adams withdrew Senate File No. 641 from further consideration.

On motion of Senator Mantz, House File No. 356, a bill for an act to amend section two hundred and twenty-seven (227) of the supplemental supplement to the code, 1915, (C. C. 6937), relating to the division of the state into judicial districts, and increasing the number of district judges in the thirteenth judicial district, and providing a method for filling the additional office created by this act, and for the election of a judge to fill the office hereby created, when the term of an appointee to fill such office shall expire as provided by law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Darting	Kimberly	Shaff
Adams	Dutcher	McIntosh	Shane
Baird	Ethell	Mantz	Slosson
Banta	Fulton	Mead	Smith
Bergman	Goodwin	Newberry	Snook
Bowman	Hartman	Olson	Stoddard
Buser	Haskell	Perkins	Tuck
Caldwell	Holdoegel	Price	White
Cessna	Horchem	Scott	Wichman

Nays, 7.

Brookhart	Browne	Johnston	Shinn
Brookins	Campbell	Nelson	

Absent or not voting, 6.

Gilchrist	Reed	Romkey
Hale	Rees	Thurston

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

Senator Mantz moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Kimberly, Senate File No. 354 was made a special order for Wednesday, April 4th, at 10 a. m.

On motion of Senator Johnston, Senate File No. 596 was ordered returned by the committee on elections and placed on the calendar.

Senator Goodwin called up the motion filed to reconsider the vote by which Senate File No. 423 failed to pass the Senate.

The motion prevailed.

Senator Goodwin moved that the vote by which Senate File No. 423 passed to its third reading be reconsidered, which motion prevailed.

Senator Goodwin offered the following amendment and moved its adoption:

Amend Senate File No. 423 by striking out all after the enacting clause and substituting therefor the following:

"Section 1. That there is hereby appropriated out of any funds in the state treasury, not otherwise appropriated, to the board of parole for the use and benefit of Ross Seward for damages and injuries sustained, while an inmate of the penitentiary at Ft. Madison, the sum of two thousand dollars (\$2,000.00) to be paid to Ross Seward by the board of parole at the rate of fifty dollars (\$50.00) per month, or as much in excess of fifty dollars (\$50.00) per month, as in the judgment of the board of parole may be necessary, until the said amount of two thousand dollars (\$2,000.00) has been paid to Ross Seward."

The amendment was adopted.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered its third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Campbell	Johnston	Scott
Adams	Darting	Kimberly	Shaff
Baird	Dutcher	McIntosh	Shane
Bergman	Ethell	Mead	Shinn
Bowman	Fulton	Nelson	Slosson
Brookhart	Goodwin	Newberry	Snook
Brookins	Hale	Olson	Thurston
Browne	Hartman	Price	White
Buser	Haskell	Rees	Wichinan
Caldwell	Horchem	Romkey	

Nays, none.

Absent or not voting, 10.

Banta	Holdoegel	Reed	Tuck
Cessna	Mantz	Smith	
Gilchrist	Perkins	Stoddard	

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

On motion of Senator Cessna Senate File No. 413 was ordered returned by the committee on banks and placed on the calendar.

On motion of Senator Wichman Senate File No. 361 was made a special order for Friday, April 6th, at 10 a. m.

INTRODUCTION OF BILLS

Senate File No. 722, by committee on appropriations, a bill for an act to amend section two thousand five hundred seventy-five-a forty-seven (2575-a47), supplement to the code, 1913 (C. C. 2425), and two thousand five hundred seventy-five-a fifty-two (2575a-52), supplemental supplement to the code, 1915 (C. C. 2430), relating to the duties of the state entomologist, the quarantine of plant diseases, the eradication of harmful plants, and making an appropriation therefor.

Read first and second times and placed on the calendar.

Senate File No. 723, by committee on fish and game, a bill for an act to prohibit persons from shooting upon or from public highways, and to provide penalties therefor.

Read first and second times and placed on calendar.

HOUSE MESSAGES CONSIDERED

House File No. 726, a bill for an act to amend section five hundred seventy-six (576), supplement to the code, 1913, as amended by chapter two hundred sixty-one (261), acts of the Thirty-eighth General Assembly (C. C. 3450), 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 File No. 797, a bill for an act relating to property offered as a stake, or staked, paid, bet, wagered, laid or deposited in connection with or as a part of any game of chance, lottery.

gambling scheme or device, gift enterprise, or any other trade scheme unlawful under the laws of this state; and providing for the seizure of such property and its disposition.

Read first and second time and referred to committee on suppression of intemperance.

House File No. 75, a bill for an act to amend, revise and codify chapter two (2) of title twenty-two (22) of the compiled code of Iowa relating to chattel mortgages and conditional sales of personal property and sales of stocks of merchandise in bulk.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 799, a bill for an act to authorize the executive council to exchange certain lands belonging to the state for other lands located in Delaware county, Iowa.

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

House File No. 502, a bill for an act to amend section one (1), chapter two hundred ninety-eight (298), acts of the Thirty-eighth General Assembly (C. C. 2268), relating to the furnishing of information by the superintendent of public instruction relative to regulating teaching and vacancies in teachers' positions.

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

House File No. 762, a bill for an act to amend chapter one hundred sixty-three (163), acts of the Thirty-eighth General Assembly (C. C. 6845), providing for the number of municipal judges.

Read first and second time and referred to committee on congressional, representative and judicial districts.

House File No. 761, a bill for an act to amend section two hundred twenty-four-e (224-e), Supplemental Supplement of the Code, 1915, as amended by chapter four hundred two (402), acts of the Thirty-seventh General Assembly (C. C. 170), relating to distribution of supreme court reports.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 525, a bill for an act repealing the law as it appears in section ninety-seven (97) of the code (C. C. 125), and to

enact a substitute therefor, relating to requisitions by the state auditor upon persons and officers for information or statements of accounts.

Read first and second time and referred to committee on judiciary No. 1.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 643 by inserting the word "fresh" between the words "any" and "fruits" as they occur in line 3 of section 1.

FRANK SHANE.

MR. PRESIDENT: I move to amend Senate File No. 625 as follows:

By striking from line two (2) of title the word "the" and by inserting in lieu thereof the word "its";

Also by striking from line six (6) paragraph 1 (1) section 14, the words "boards of supervisors";

Also by striking from line six (6) paragraph 1, section 14 the comma (,) following the word "review";

Also by striking out paragraph two (2) section 14, and by inserting in lieu thereof the following:

"To prepare on or before February first of each year forms to be used in the listing and assessing of property. It shall also from time to time prepare all other forms and prepare and furnish all memoranda or instructions which it deems necessary or expedient for the use or guidance of any of the officers over whom it is authorized by law to exercise supervision."

Also by striking from lines 21 and 22, paragraph 3, section 14, the words "boards of supervisors";

Also by striking from line 32, paragraph 4, section 14, the words "boards of supervisors";

Also by striking from line 78, paragraph 11, section 14, the words "and boards of supervisors";

Also by striking from line 78, paragraph 11, section 14, the comma (,) after the word "review";

Also by striking from line 110, paragraph 13, section 14, the word "question" and inserting in lieu thereof the word "action";

Also by striking from line 123, paragraph 15, section 14, the words "countries and";

Also by striking paragraph 19, section 14, and by inserting in lieu thereof the following:

"To procure in such manner as the board may determine any information pertaining to the discovery of property in any state, which is subject to taxation in this state and to furnish to the board or proper officers in any other state any information pertaining to the discovery of property which is subject to taxation in such other state as disclosed by the records in this state".

Also by striking paragraph 20 of section 14, and inserting in lieu thereof the following:

"To assess or cause to be assessed any omitted property at any time within five years from the time when said property might or should have been assessed upon the giving of ten days' notice by registered mail to the person against whom such notice is made, and to reassess or cause to be reassessed for sufficient cause discovered or brought to its attention any or all property or any class of property in any taxing district when the original assessment thereof shall have been declared to be illegal by reason or any illegality or irregularity in the assessment thereof."

Also by inserting in line 2, section 17, after the word "assessor" the words "who shall be a resident of the county and".

Also by striking section 19, and by renumbering the following sections of the bill accordingly:

Also by striking out paragraph 1, section 24, and inserting in lieu thereof the following:

"To assess or cause to be assessed as of the date of May first annually all the property, personal or real, in each county except such as is exempted from taxation or the assessment of which is otherwise provided for; however, real property shall be assessed in the year 1924 and biennially thereafter.

Also by striking out paragraph 8 of section 24 and renumbering following paragraphs of said section accordingly.

Also by striking out of section 25 the following lines commencing in line three thereof, to-wit: "together with a list of all debts which he claims as an offset against moneys and credits giving the names and addresses of each creditor".

Also by inserting after the word "year" in line 8 of section 25 the following: "such owner or other person shall also at said time furnish to the assessor upon a blank to be supplied by said assessor a list of all his obligations evidenced by bonds, notes or other writing, describing the amount thereof, when due, the rate of interest and the name and post office address of the payee, provided, however, that no such returns shall be required as to any bond, note or other written evidence payable to a bank, or to a payee who is a non-resident of the state, and no returns shall be made of any such obligation not exceeding one hundred dollars".

"It shall be unlawful for any assessor, deputy assessor, treasurer, deputy treasurer, or any other officer or employee of the county or state to divulge information contained in such statements save and alone in courts of justice or before the state board of assessment and review."

Also by striking from lines 2 and 3, section 28, the following words "in the same or rooms adjacent to those occupied by the county auditor or".

ED. M. SMITH.

The Journal of April 2d was corrected and approved.

On motion of Senator Brookhart the Senate adjourned until 9 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, April 4, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. Henry L. Rust, pastor of the First Baptist church of Northwood, Iowa.

On motion of Senator Price rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

Senator Olson presented a petition from citizens of Beaver endorsing House File No. 796 relative to issuance of fishing licenses. Referred to committee on fish and game.

Senator Rees presented a petition from the Clarinda Community Club urging support for the general appropriation bill for state institutions. Referred to committee on board of control.

Senator Shane presented a petition from the Journeyman Barbers International Union, Local 133, Ottumwa, asking support for House File No. 650 relative to breach of Sunday closing laws. Referred to committee on judiciary No. 2.

Senator Olson presented a petition from citizens of Boone protesting Senate File No. 361 relative to transportation of persons or property for hire over public highways. Referred to committee on motor vehicles.

On motion of Senator Smith the special orders set for this morning were deferred and made a special order for Friday, April 6th, at 10 a. m.

Senator Stoddard moved that when the Senate adjourn at noon today it be until 4:30 p. m., which motion prevailed.

REPORTS OF COMMITTEES

Senator Newberry submitted the following report:

MR. PRESIDENT: Your committee on public schools to whom was referred Senate File No. 628, a bill for an act to amend section twenty-

seven hundred fifty-six (2756), supplement to the code, 1913 (C. C. 2544), relating to the time that the polls shall be open at school elections in certain school corporations, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out all of section one (1) after the word "amended" in the third line thereof, and inserting in lieu thereof the following:

By changing the period (.) at the end of said section to a comma (,) and adding "and in districts of over twenty thousand (20,000), the polls may be kept open from seven (7) o'clock A. M. until seven (7) o'clock P. M."

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to whom was referred House File No. 378, a bill for an act to amend the law relating to high school tuition of nonresident pupils in approved schools, to require a verified statement of items entering into the cost of such tuition, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

BYRON W. NEWBERRY, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on public schools to whom was referred Senate File No. 600, a bill for an act to repeal section 2792, of the code (C. C. 2513) and to enact a substitute therefor, relating to the transfer of territory from one school district to another, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

BYRON W. NEWBERRY, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on public schools to whom was referred Senate File No. 684, a bill for an act to repeal section 2812-c, supplement to the code, 1913, as amended by chapter 262, acts of the 37th General Assembly, relating to school funding and refunding bonds and to enact a substitute therefor, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

BYRON W. NEWBERRY, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on public schools to whom was referred House File No. 695, a bill for an act to amend section 2815, of the code, as amended by chapter twenty-six (26), section two (2), acts

of the 37th General Assembly (C. C. 2642), relating to condemnation of land for school purposes, beg leave to report it has had the same under consideration and recommends the same do pass.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

, Senator Adams submitted the following report:

MR. PRESIDENT: Your committee on railroads to whom was referred Senate File No. 663, a bill for an act to amend section thirteen hundred thirty-six (1336) of the code (C. C. sec. 4546), relating to the valuation of railways for the purpose of assessing, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. C. ADAMS, *Chairman.*

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 14.

Adams	Haskell	Newberry	Smith
Baird	Holdoegel	Olson	Wichman
Banta	Kimberly	Scott	
Darting	Mead	Shane	

Nays, 16.

Abben	Cessna	McIntosh	Slosson
Brookhart	Ethell	Nelson	Snook
Browne	Fulton	Rees	Tuck
Buser	Johnston	Shinn	White

Absent or not voting, 19.

Bergman	Dutcher	Horchem	Romkey
Bowman	Gilchrist	Mantz	Shaff
Brookins	Goodwin	Perkins	Stoddard
Caldwell	Hale	Price	Thurston
Campbell	Hartman	Reed	

The report was rejected and the bill placed on the calendar.

Also:

MR. PRESIDENT: Your committee on railroads to whom was referred Senate File No. 639, a bill for an act to amend the law as it appears in section thirteen hundred thirty-four-a (1334-a) supplement to the code, 1913, (C. C. sec. 4536), and provide for an occupational tax upon common carriers, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. C. ADAMS, *Chairman.*

Senator Buser invoked rule 8.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 25.

Abben	Caldwell	Horchem	Scott
Adams	Campbell	Kimberly	Shane
Baird	Darting	McIntosh	Slosson
Banta	Hale	Mantz	Smith
Bowman	Haskell	Newberry	Stoddard
Brookins	Holdoegel	Perkins	White
			Wichman

Nays, 16.

Brookhart	Ethell	Nelson	Romkey
Browne	Fulton	Olson	Shinn
Buser	Johnston	Price	Snook
Cessna	Mead	Rees	Tuck

Absent or not voting, 8.

Bergman	Gilchrist	Hartman	Shaff
Dutcher	Goodwin	Reed	Thurston

The report was adopted and the bill indefinitely postponed.

Senator Holdoegel submitted the following report:

MR. PRESIDENT: Your committee on highways to whom was referred House File No. 573, a bill for an act to authorize the purchase of real estate in the city of Ames, where excess war equipment is stored, beg leave to report it has had the same under consideration and recommends the same do pass.

P. C. HOLDOEGEL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to whom was referred House File No. 522, a bill for an act to authorize the state highway commission or boards of supervisors to order the removal of billboards and signs which obstruct the view of the public highways in such manner as to render the use of such highways dangerous, and to provide penalties for violations of the provisions of the act, beg leave to report it has had the same under consideration and recommends the same do pass.

P. C. HOLDOEGEL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to whom was referred Senate File No. 635, a bill for an act to amend section eleven (11) of chapter two hundred thirty-seven (237) of the acts of the 38th G. A. (C. C. sec. 2919) relating to contracts for road work and materials furnished for such work, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out all after the word "following" in line five (5) section one (1) and inserting in lieu thereof the following:

"Each contract shall show the various items, or classes of work or materials, included therein the approximate amount of each item or class of work or material, and the estimated approximate total cost of the work or materials included within said contract. The contractor shall be paid at the prices stipulated in the contract for each item or class of work performed and for the actual quantity of material furnished under each item or classification."

P. C. HOLDOEGEL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to whom was referred Senate File No. 387, a bill for an act relating to the distribution of the primary road fund, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

P. C. HOLDOEGEL, *Chairman*.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 29.

Abben	Goodwin	Nelson	Shinn
Adams	Hale	Newberry	Slosson
Brookins	Haskell	Price	Smith
Buser	Horchem	Reed	Snook
Campbell	Johnston	Rees	Thurston
Cessna	McIntosh	Romkey	Tuck
Darting	Mead	Shane	White
			Wichman

Nays, 9.

Baird	Fulton	Mantz	Perkins
Banta	Kimberly	Olson	Stoddard
Caldwell			

Absent or not voting, 11.

Bergman	Browne	Gilchrist	Scott
Bowman	Ditcher	Hartman	Shaff
Brookhart	Ethell	Holdoegel	

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on highways to whom was referred Senate File No. 573, a bill for an act to amend section fourteen hundred eighty-seven (1487) of the code (C. C. 2799) and section fifteen hundred twenty-seven-r4 (1527-r4) supplemental supplement to the code, 1915 (C. C. 2831) relative to the condemnation of land for road purposes, beg leave to report it has had the same under consideration and recommends 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 fourteen hundred eighty-seven (1487) of the code (C. C. 2799) is hereby amended as follows: insert after the word "nor" where it appears in line five (5) a comma (,) and the words "except in case a primary road is to be established."

Sec. 2. That section fifteen hundred twenty-seven-r4 (1527-r4) of the supplemental supplement to the code, 1915 (C. C. 2831) is hereby repealed and the following enacted in lieu thereof: "No such change shall be established through any burying ground, nor, except in case a change in the primary road system is to be established, through any orchard or ornamental grounds contiguous to any dwelling house or so as to cause the removal of buildings, without the consent of the owner."

P. C. HOLDOEGEL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to whom was referred House File No. 287, a bill for an act to amend section six (6) of chapter two hundred thirty-seven (237), acts of the 38th General Assembly (C. C. 2914), relating to elections to authorize the hard surfacing of primary roads, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

P. C. HOLDOEGEL, *Chairman*.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 16.

Baird	Dutcher	Newberry	Shaff
Banta	Goodwin	Perkins	Smith
Bergman	Haskell	Reed	Stoddard
Caldwell	Mantz	Scott	Wichman

Nays, 28.

Abben	Cessna	Kimberly	Romkey
Adams	Ethell	McIntosh	Shane
Brookhart	Fulton	Mead	Shinn
Brookins	Hale	Nelson	Snook
Browne	Hartman	Olson	Thurston
Buser	Holdoegel	Price	Tuck
Campbell	Johnston	Rees	White

Absent or not voting, 5.

Bowman	Gilchrist	Horchem	Slosson
Darting			

The report was rejected and the bill placed on the calendar.

Also:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 603, a bill for an act amending section forty-five (45) of chapter two hundred thirty-seven (237) acts of the Thirty-eighth General Assembly (C. C. 2953) relating to the amount of money that

can be expended by the highway commission in one (1) year for administration purposes, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

P. C. HOLDOEGEL, *Chairman*.

Senator Price moved that an additional ten minutes time be allowed on the discussion of Senate File No. 603, which motion prevailed.

Senator Price invoked rule 8.

On the question "Shall the committee report be adopted?" the vote was:

Ayes, 24.

Abben	Dutcher	Mantz	Shaff
Adams	Goodwin	Newberry	Shane
Baird	Hale	Olson	Slosson
Bowman	Haskell	Perkins	Stoddard
Brookins	Holdoegel	Reed	White
Caldwell	Horchem	Scott	Wichman

Nays, 22.

Bergman	Ethell	Mead	Smith
Brookhart	Fulton	Nelson	Snook
Browne	Hartman	Price	Thurston
Buser	Johnston	Rees	Tuck
Campbell	Kimberly	Romkey	
Cessna	McIntosh	Shinn	

Absent or not voting, 3.

Banta	Darting	Gilchrist
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The report was adopted and the bill indefinitely postponed.

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 448, a bill for an act to amend chapter seven (7), title V of the code providing additional authority to cities and towns in the matter of assessing and paying for street improvements, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

That paragraph 2, section 1, be amended by striking out the comma in line 36 and all of said paragraph 2 following, and inserting in lieu thereof a period.

That immediately following paragraph 2, section 1, paragraph 2-a be inserted as follows:

"Cities may issue such preliminary bonds in an amount equal to the estimated cost of improvement. Such bonds shall not be sold for less than par, nor bear interest in excess of six per cent per annum and the same shall be a lien upon the property assessable for such improvement."

That paragraph 3, section 1, be amended by striking out the period at

the end of line 55, and inserting in lieu thereof a comma and by adding thereafter the following: "Subject, however, to the following regulations:

"That upon the performance of a stated portion of contract providing for installment payments, the clerk of such city or town shall post notice thereof along the way of completed improvement, informing property owners subject to assessment therefor, that unless written objections on the ground of nonconformity to specifications are filed in his office within ten days from date of posting, such objections shall be deemed waived and payment to the contractor will be made.

"In case objections are filed the council shall thoroughly investigate the same and compel substantial performance before making any such installment payment."

That paragraph 4, section 1, be amended by striking out the period at the end of line 95, and inserting in lieu thereof a semi-colon and adding thereafter the following: "however, it shall be illegal to make a contract greater in amount than the estimated cost and ten (10) per cent additional."

Insert after the word "thereof" in the tenth line of section 1, the following: "for such kind of material proposed to be used."

W. G. HASKELL, *Chairman*.

Ordered passed on file:

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 582, a bill for an act to provide for the issuance of city hall bonds in certain cities, and to authorize a tax levy to pay said bonds and interest thereon, being an act amendatory to sections 741-d to 741-h, inclusive, of the supplemental supplement to the code, 1915, as amended by chapter 182, acts of the Thirty-seventh General Assembly, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 433, a bill for an act to repeal section one (1), chapter one hundred thirty-eight (138), acts of the Thirty-seventh General Assembly (C. C. sec. 3617), and to enact a substitute therefor, relating to restricted residence districts in cities, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 148, a bill for an act to amend, revise and codify chapter twenty (20) of the title twelve (12) of the compiled code of Iowa,

relating to changing names of villages, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Senator Mead submitted the following report:

MR. PRESIDENT: Your committee on fish and game to whom was referred Senate File No. 642, a bill for an act to amend section two thousand five hundred forty-seven-a (2547-a), supplemental supplement to the code, 1915, (C. C. 1116), relating to fishing in the boundary waters, beg leave to report it has had the same under consideration and recommends the same do pass.

O. L. MEAD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on fish and game to whom was referred Senate File No. 617, a bill for an act to amend section two thousand five hundred forty (2540), supplemental supplement to the code, 1915, (C. C. 1107), relating to the protection of bass, beg leave to report it has had the same under consideration and recommends the same do pass.

O. L. MEAD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on fish and game to whom was referred House File No. 645, a bill for an act repealing the law as it appears in section two thousand five hundred forty-six (2546) of the supplement to the code, 1913, (C. C. 1114) relating to the powers of the state fish and game warden, providing that the warden may enter into contracts with persons, firms or corporations for the removal and sale of certain fish, begs leave to report it has had the same under consideration and recommends the same do pass.

O. L. MEAD, *Chairman*.

Ordered passed on file.

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 769, a bill for an act to legalize certain ordinances of the city of Davenport, Scott county, Iowa, providing for the issuance of corporate bonds and for taxes to pay the principal and interest thereof, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 729, a bill for an act to legalize an election in the consolidated independent school district of Carson, in the county of Pottawattamie, state of Iowa, on the proposition of issuing bonds and to legalize all acts and proceedings of the board of directors in respect of the issuance and sale of said bonds, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 739, a bill for an act to legalize an election held March 25, 1920, in the independent school district of Lawler, Chickasaw county, Iowa, to issue bonds of said district in the sum of \$30,000.00 for the purpose of constructing and equipping addition to the schoolhouse of said district, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 583, a bill for an act to legalize ordinances and amendment to ordinances of the city of Independence, Buchanan county, Iowa, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 595, a bill for an act to legalize the notice of incorporation of the Grundy Construction Company, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 404, a bill for an act to amend the law as it appears in section three hundred thirty-four (334), code of 1897, relating to jurors, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also::

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 402, a bill for an act to prohibit persons, singly or collectively, from wearing masks, hoods, robes and other paraphernalia in various places and under various circumstances, and to prohibit persons, either singly or collectively without authority of law or not in the due course of the enforcement of the rules and regulations, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 518, a bill for an act to amend section 5 chapter 267 acts of the Thirty-seventh General Assembly as amended by section 3, chapter 211, acts of the Thirty-eighth General Assembly and chapter 278 acts of the Thirty-ninth General Assembly (C. C. sec. 7020) relating to number of petit jurors to be selected and drawn by jury commission, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 706, a bill for an act to amend section 313 supplement to the code, as amended by chapter 330, acts of the Thirty-seventh General Assembly (C. C. 7037), relating to the admission to the practice of law in this state of attorneys who are admitted in other states and to provide a fee therefor, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was referred House File No. 210, a bill for an act to amend, revise and codify sections sixty-two hundred five (6205) and sixty-two hundred six (6206) of the compiled code of Iowa, relating to unfair discrimination, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to whom was re-

ferred House File No. 234, a bill for an act to amend, revise and codify section seventy-seven hundred fifty-nine (7759) of the compiled code of Iowa, relating to the examination of debtors in proceedings auxiliary to execution, beg leave to report it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman*.

Ordered passed on file.

Senator Scott submitted the following report:

MR. PRESIDENT: Your committee on insurance to whom was referred Senate File No. 670, a bill for an act to amend section eighteen hundred and six (1806) of the supplemental supplement to the code, 1915, (C. C. sec. 5532), relating to the investment of funds of life insurance companies and associations, beg leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking out all after the word "stone" in line six (6) of section 1.

R. P. SCOTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to whom was referred Senate File No. 616, a bill for an act to amend section seventeen hundred thirty-one (1731) (C. C. 5646) of the code of Iowa, relating to the examination, dissolution and appointment of a receiver for insurance companies organized as stock companies other than life, beg leave to report it has had the same under consideration and recommends the same do pass.

R. P. SCOTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to whom was referred House File No. 560, a bill for an act to repeal section sixteen hundred eighty-three-r (1683-r) (C. C. 5460), supplement to the code, 1913, as amended by section fifteen (15), chapter two hundred nine (209), acts of the Thirty-ninth General Assembly, and to enact a substitute in lieu thereof relating to the insurance department, beg leave to report it has had the same under consideration and recommends the same do pass.

R. P. SCOTT, *Chairman*.

Ordered passed on file.

Senator Brookhart submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 638, a bill for an act to legalize the acts and proceedings in relation to drainage district number 29, Polk county, Iowa,

begs leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 382, a bill for an act to amend chapter one hundred forty (140) acts of the Thirty-ninth General Assembly (C. C. chapter 2 title XII) relating to the taxation, licensing and controlling of dogs, and relieving certain officers from responsibility for the collection of fees in relation thereto, begs leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 213, a bill for an act to amend, revise, and codify sections sixty-five hundred eighty-nine (6589), sixty-five hundred ninety (6590), sixty-five hundred ninety-six (6596) and sixty-six hundred (6600) of the compiled code of Iowa, and section eighty-six hundred eighteen (8618) of the supplement to said code, relating to marriages and incest, begs leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 597, a bill for an act amending section three hundred sixty (360) (C. C. 8433) of the supplemental supplement to the code of Iowa, 1915, relating to surety bonds, begs leave to report it has had the same under consideration and recommends the same do pass.

J. L. BROOKHART, *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. 634, a bill for an act to amend section fourteen (14), chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly (C. C. 2922), relating to the construction, improvement and maintenance of highways.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 671, a bill for an act to amend the law as it appears in sections nine (9), eleven (11), thirteen (13) and fourteen (14) of chapter two hundred eighty-eight (288), acts of the Thirty-eighth General Assembly (C. C. 4002, 4004, 4006, 4007), relating to waterworks in cities now and hereafter having a population of one hundred thousand (100,000) inhabitants or over, including cities acting under the commission form of government.

Also, that the House has concurred in Senate amendments to House File No. 424, a bill for an act to repeal section two hundred fifty-four-a-20 (254-a-20), supplement to the code, 1913, as amended by chapter one hundred seven (107), acts of the Thirty-eighth (38) General Assembly, chapter fifty-one (51), acts of the Thirty-ninth (39) General Assembly, and chapter two hundred fifty-two (252), acts of the Thirty-ninth General Assembly (S. C. C. sec. 2104), relating to financial aid to widowed mothers of dependent or neglected children, and enacting a substitute therefor.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 634, a bill for an act to amend section fourteen (14), chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly, (C. C. 2922), relating to the construction, improvement and maintenance of highways.

Read first and second times and referred to committee on highways.

House File No. 671, a bill for an act to amend the law as it appears in sections nine (9), eleven (11), thirteen (13) and fourteen (14) of chapter two hundred eighty-eight (288), acts of the Thirty-eighth General Assembly (C. C. 4002, 4004, 4006, 4007), relating to waterworks in cities now and hereafter having a population of one hundred thousand (100,000) inhabitants or over, including cities acting under the commission form of government.

Read first and second times and substituted for Senate File No. 583.

THIRD READING OF BILLS

On motion of Senator Kimberly, Senate File No. 354, 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: Soldiers' Home, Soldiers' Orphans' Home, Juvenile Home, Institution for Feeble-Minded Children, State Sanatorium for the Treatment of Tuberculosis, Training School for Boys, Training School for Girls, Mount Pleasant State Hospital, Independence State Hospital, Clarinda State Hospital, Cherokee State Hospital, State Hospital and Colony for Epileptics, State Penitentiary, Men's Reformatory and Women's Reformatory, 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 lines three (3) and four (4) of section one (1) of the printed bill the words and figures one million six hundred and fourteen thousand four hundred dollars (\$1,614,400.00) and insert in lieu thereof the words and figures one million five hundred sixty-four thousand four hundred dollars (\$1,564,400.00).

Amend by striking from lines twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26) and twenty-seven (27), the words and figures eight hundred thirty-two thousand two hundred dollars (\$832,200.00) and inserting in lieu thereof the words and figures seven hundred eighty-two thousand two hundred dollars (\$782,200.00).

Amend by adding after line twelve (12) of section five (5) of the printed bill the item—"For Dormitory—\$50,000.00".

Amend by striking from line eighteen (18) of section five (5) the figures "\$66,000.00" and inserting in lieu thereof the figures \$116,000."

Amend by striking from section eleven (11), line five (5) the following "For building for inebriates \$50,000." Also amend by striking out the figures "\$80,000" in line seven (7) of said section and insert in lieu thereof the figures "\$30,000.00".

Amend by striking from line nine (9), section thirteen (13) the figures "\$175,000.00" and insert in lieu thereof the figures "\$150,000.00". Also by striking from line twelve (12) of said section the figures \$230,500.00" and insert in lieu thereof the figures "\$205,500.00".

Amend by striking from line nine (9), section fifteen (15) the figures "\$150,000.00" and insert in lieu thereof the figures "\$125,000.00". Also by striking from line thirteen (13) of said section the figures "\$184,000.00" and insert in lieu thereof the figures "\$159,000.00".

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

Senator Abben invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Abben	Darting	McIntosh	Shane
Adams	Dutcher	Mead	Shinn
Baird	Fulton	Nelson	Slosson
Banta	Goodwin	Newberry	Smith
Bergman	Hale	Olson	Stoddard
Bowman	Hartman	Perkins	Thurston
Brookins	Haskell	Reed	Tuck
Buser	Holdoegel	Rees	White
Caldwell	Horchem	Romkey	Wichman
Campbell	Johnston	Scott	
Cessna	Kimberly	Shaff	

Nays, 2.

Browne Snook

Absent or not voting, 5.

Brookhart	Gilchrist	Mantz	Price
Ethell			

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

On motion of Senator Goodwin House File No. 671, a bill for an act to amend the law as it appears in sections nine (9), eleven (11), thirteen (13) and fourteen (14) of chapter two hundred eighty-eight 288, acts of the Thirty-eighth General Assembly (C. C. 4002, 4004, 4006, 4007), relating to waterworks in cities now and hereafter having a population of one hundred thousand (100,000) inhabitants or over, including cities acting under the commission form of government, having been substituted for Senate File No. 583, was taken up and considered.

The bill was read for information.

Senator Goodwin moved that the rule 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, 45.

Abben	Browne	Goodwin	McIntosh
Adams	Buser	Hale	Mantz
Baird	Caldwell	Hartman	Mead
Banta	Campbell	Haskell	Nelson
Bergman	Cessna	Holdoegel	Newberry
Bowman	Darting	Horchem	Olson
Brookhart	Dutcher	Johnston	Perkins
Brookins	Fulton	Kimberly	

Price
Reed
Scott
Shaff

Shane
Shinn
Slosson
Smith

Snook
Stoddard
Thurston
Tuck

White
Wichman

Nays, none.

Absent or not voting, 4.

Ethell

Gilchrist

Rees

Romkey

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

By unanimous consent Senator Goodwin withdrew Senate File No. 583 from further consideration.

INTRODUCTION OF BILLS

Senate File No. 724, by committee on cities and towns, a bill for an act to amend an act of the Fortieth General Assembly, known as Senate File No. 319, and relating to powers of special charter cities, by providing for the time when said act shall take effect.

Read first and second times and placed on the calendar.

Senate File No. 725, by committee on cities and towns, a bill for an act to authorize and empower the city council of Rock Rapids, Iowa, to transfer certain funds from the sewers fund and improvement fund of the city of Rock Rapids, Iowa, to the general fund of said city.

Read first and second times and placed on the calendar.

Senate File No. 726, by committee on cities and towns, a bill for an act empowering cities and towns to permit the consolidation of telephone companies and properties within the limits of the city under such regulations as may be agreed upon between said cities and towns and the owners of said utilities.

Read first and second times and placed on the calendar.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 181, 417, 424, 447, 453, 511, and 611.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Banta, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 120, 281, 425, 426, 440, 677, 711.

GEORGE S. BANTA, *Acting Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files Nos. 181, 417, 424, 447, 453, 511 and 611, and House Files Nos. 120, 281, 425, 426, 440, 677 and 711.

BILLS SENT TO THE GOVERNOR

Senator Banta, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 4th day of April, 1923, sent to the Governor for his approval: Senate Files Nos. 181, 417, 424, 447, 453, 511, and 611.

GEORGE S. BANTA, *Acting Chairman.*

Report adopted.

AMENDMENT FILED

MR. PRESIDENT: I move to amend House File 495 by inserting in section six (6) line nineteen (19), following the word "instruction" and before the word "shall" the following: "and other expenses incurred by examination and tests provided in this act".

J. D. BUSER.

REPORT OF COMMITTEE

Senator Adams submitted the following report:

MR. PRESIDENT: Your committee on railroads to whom was referred House File No. 615, a bill for an act to protect firemen, engineers and employees of steam railroads, by providing for automatic doors to the fire boxes of locomotive engines, prescribing penalties for its violation, repealing all laws in conflict therewith, and providing a time when the

same is to be in force, being a companion bill to Senate File No. 559, by Buser, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. C. ADAMS, *Chairman*.

Senator Buser invoked rule 8.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 21.

Abben	Dutcher	Mantz	Reed
Adams	Fulton	Mead	Scott
Banta	Hale	Nelson	Slosson
Bergman	Hartman	Newberry	Smith
Brookins	Haskell	Perkins	Wichman
Darting			

Nays, 25.

Baird	Cessna	Kimberly	Shinn
Bowman	Ethell	Olson	Snook
Browne	Goodwin	Price	Stoddard
Buser	Holdoegel	Rees	Thurston
Caldwell	Horchem	Romkey	Tuck
Campbell	Johnston	Shaff	White
		Shane	

Absent or not voting, 3.

Brookhart	Gilchrist	McIntosh
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The committee report was rejected and the bill ordered placed on the calendar.

On motion of Senator Buser House File No. 615 was substituted for Senate File No. 559.

On motion of Senator Brookins House File No. 629 was substituted for Senate File No. 543.

HOUSE AMENDMENTS CONSIDERED

Senator Cessna called up for consideration Senate File No. 594, amended by the House, and moved the Senate concur in the following amendments:

Add to section 2, as sub-section number 6, the following:

"Nothing herein contained shall be construed as to subordinate the State Department of Agriculture, as provided for by this act, to the Iowa State College of Agriculture and Mechanic Arts."

Amend section two (2) of Senate File No. 594 by striking out the period at the end of sub-division four (4) of said section, and inserting in lieu thereof a comma (,) and the following: "but without duplicating research or educational work conducted by the Iowa State College of Agriculture and Mechanic Arts."

On the question "Shall the Senate concur?" the vote was:

Ayes, 22.

Abben	Campbell	Price	Snook
Bergman	Cessna	Rees	Thurston
Bowman	Ethell	Romkey	Tuck
Brookins	Hale	Shane	Wichman
Browne	Johnston	Shinn	
Buser	Nelson	Slosson	

Nays, 19.

Adams	Fulton	Mantz	Scott
Banta	Haskell	Mead	Shaff
Caldwell	Holdoegel	Newberry	Smith
Darting	Horchem	Perkins	White
Dutcher	Kimberly	Reed	

Absent or not voting, 8.

Baird	Gilchrist	Hartman	Oison
Brookhart	Goodwin	McIntosh	Stoddard

The House amendments having failed to receive a constitutional majority were declared to have failed to be adopted and concurred in by the Senate.

On motion of Senator Newberry the Senate adjourned until 4:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

INTRODUCTION OF BILLS

Senate File No. 727, by committee on insurance, a bill for an act to amend section eighteen hundred twenty-two (1822) of the supplement to the code, 1913, (Compiled Code, section 5552) as amended by chapter three hundred forty-three (343) of the acts of the Thirty-eighth General Assembly, (Compiled Code 5553) relating to fraternal beneficiary societies, orders and associations, and relating to the funds accumulated by said associations.

Read first and second times and placed on the calendar.

Senate File No. 728, by committee on printing, a bill for an act to require city and town councils to designate an official newspaper.

Read first and second times and placed on the calendar.

Senate File No. 729, by committee on ways and means, a bill for an act to amend the law as it appears in section one thousand three hundred forty-two-b (1342-b) of the supplement to the code, 1913, (C. C. 4556) relating to the assessment of cars owned by freight line and equipment companies.

Read first and second times and placed on the calendar.

Senate File No. 730, by committee on ways and means, a bill for an act to amend section thirteen hundred sixty-five (1365) of the code 1897 (C. C. 4594) and section thirteen hundred sixty-six (1366) of the supplement to the code 1913 as amended by chapter three hundred eighty-five (385) of the acts of the Thirty-eighth (38) General Assembly and chapters ninety-two (92) and two hundred sixty-eight (268) of the acts of the Thirty-ninth (39) General Assembly (C. C. 4595), relating to the assessment of property and to the books of the assessor.

Read first and second times and placed on the calendar.

Senate File No. 731, by committee on public schools, a bill for an act authorizing the consolidated independent school district of Carpenter, in the counties of Worth and Mitchell, to issue its warrants in excess of the funds available, and authorizing a tax levy to pay the same.

Read first and second times and placed on the calendar.

On motion of Senator Fulton Senate File No. 655 was ordered returned by the committee on educational institutions and placed on the calendar.

On motion of Senator Newberry Senate File No. 564 was ordered returned by the committee on judiciary No. 1 and placed on the calendar.

REPORTS OF COMMITTEES

Senator Abben submitted the following report:

MR. PRESIDENT: Your committee on military affairs to which was referred joint resolution No. six, a resolution providing for the annual display of the American Flag on Mothers' Day, the second Sunday in May, begs leave to report it has had the same under consideration and recommends the same do pass.

BEN C. ABBEN, JR., *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on military affairs to which was referred House File No. 442, a bill for an act to amend the law as it appears in section four hundred thirty-one of the code relating to soldiers relief commission, begs leave to report it has had the same under consideration and recommends the same do pass.

BEN C. ARBEN, JR., *Chairman*.

Ordered passed on file.

Senator Brookins submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred House File No. 799, a bill for an act to authorize the executive council to exchange certain lands belonging to the state for other lands located in Delaware county, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

A. T. BROOKINS, *Chairman*.

Ordered passed on file.

Senator Price submitted the following report:

MR. PRESIDENT: Your committee on public health to whom was referred House File No. 641, a bill for an act to amend chapter seven (7) acts of the Thirty-ninth General Assembly relating to the licensing of chiropractors and the regulation of the practice of chiropractic, beg leave to report it has had the same under consideration and recommends the same do pass.

JNO. R. PRICE, *Chairman*.

Ordered passed on file.

Senator Fulton submitted the following report:

MR. PRESIDENT: Your committee on banks to whom was referred Senate File No. 592, a bill for an act to amend the law as it appears in subdivisions d, k, l, of section 2 of chapter 189, of the acts of the Thirty-ninth General Assembly of the state of Iowa relating to the regulation and supervision of investment companies, beg leave to report it has had the same under consideration and recommends 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 subdivision (d) of section two (2) of chapter one hundred eighty-nine (189) of the acts of the Thirty-ninth General Assembly (C. C. S. sec. 5417) be repealed and the following enacted in lieu thereof:

"(d) Note or notes executed by a person, partnership, association or corporation and secured by a mortgage on real estate, which mortgage may also cover tangible property connected therewith; also note or notes secured by a bona fide mortgage on personal property in this state when the total amount of such indebtedness on either real or personal

property, as herein referred to, plus the amount of prior or concurrent liens, does not exceed seventy-five per cent of the fair value of the mortgaged property, provided, however, that the note or notes and mortgage are all sold to the same purchaser in a single transaction; also commercial paper or acceptances or negotiable promissory notes.

Sec. 2. That subdivision (k) of section two (2) of chapter one hundred eighty-nine (189) of the acts of the Thirty-ninth General Assembly (C. C. S. sec. 5417) be amended as follows:

(a) By adding after the words "by any" in the third line of said subdivision the words "person, partnership, association or."

(b) By striking out the period after the word "security" in the last line of said subdivision and by adding thereto the following: "but when the property pledged consists of written evidences of indebtedness themselves secured by mortgage or other lien upon property, the value of the encumbered property and not the face or par value of the evidences of indebtedness secured thereby shall be taken as the basis for determining the limit fixed herein, provided, however, that in no case shall the mortgage or other lien upon which such bonds, debentures or collateral trust certificates are issued, when added to existing prior and or concurrent mortgages or liens, exceed sixty per cent of the value of the encumbered property, nor shall the face or par value of the bonds, debentures, collateral trust certificates or other similar instruments exceed the face or par value of the securities pledged."

Sec. 3. That subdivision (1) of section two (2) of chapter one hundred eighty-nine (189) of the acts of the Thirty-ninth General Assembly (C. C. S. sec. 5417) be amended as follows:

(a) By adding at the beginning of said subdivision the words "capital stock and"

(b) By inserting after the word "organization" in the fourth line of said subdivision (1) the words "expense not exceeding one per centum of the proceeds realized."

(c) By inserting after the word "state" in the ninth line of said subdivision (1) the words "or in this state and other states"

Sec. 4. Publication clause. 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.

C. J. FULTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks to whom was referred Senate File No. 650, a bill for an act to provide for the supervision and examination of private banks by the superintendent of banking, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. J. FULTON, *Chairman*.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 24.

Abben	Fulton	Horchem	Shaff
Adams	Goodwin	Kimberly	Shane
Baird	Hale	Mantz	Slosson
Banta	Hartman	Mead	Stoddard
Bergman	Haskell	Newberry	Thurston
Campbell	Holdoegel	Perkins	White

Nays, 13.

Brookins	Johnston	Romkey	Snook
Browne	Nelson	Shinn	Tuck
Caldwell	Price	Smith	
Darting	Rees		

Absent or not voting, 12.

Bowman	Cessna	Gilchrist	Reed
Brookhart	Dutcher	McIntosh	Scott
Buser	Ethell	Olson	Wichman

The report was adopted and the bill indefinitely postponed.

Senator Ethell submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred House File No. 726, a bill for an act to amend section five hundred seventy-six (576), supplement to the code, 1913, as amended by chapter two hundred sixty-one (261), acts of the Thirty-eighth General Assembly (C. C. 3450), relating to the duties of township clerk and the deposit of public funds collected by them, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 697, a bill for an act authorizing the creation of the office of county manager, providing for his appointment, salary and term of office and prescribing his powers and duties, begs leave to report it has had the same under consideration and returns the bill without recommendation.

JOHN J. ETHELL, *Chairman*.

Ordered passed on file.

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to whom was referred House File No. 156, a bill for an act to amend, revise, and codify sections three thousand five hundred seventy-five (3575), three thousand five hundred seventy-seven (3577), and three thousand five hundred seventy-eight (3578) of the compiled code of Iowa, and section three thousand five hundred eighty (3580) of the supplement to said code, relating

to municipal corporations, beg leave to report it has had the same under consideration and returns the bill without recommendation.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to whom was referred House File No. 543, a bill for an act to amend chapter one hundred twenty-six (126), laws of the Thirty-seventh General Assembly, (C. C. sec. 4038), relating to transfer of funds in cities and towns, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to whom was referred House File No. 575, a bill for an act to amend section one thousand fifty-six-a-eighteen (1056-a-18), supplement to the code, 1913, (C. C. sec. 4216) section one thousand fifty-six-a-thirty-six (1056-a-36), supplement to the code 1913, (C. C. sec. 4236) section one thousand fifty-six-a-thirty-eight (1056-a-38), supplement to the code, 1913, (C. C. sec. 4238), section one thousand fifty-six-a-thirty-nine (1056-a-39), supplement to the code 1913, (C. C. sec. 4239), and section one thousand fifty-six-a-forty, (1056-a-40), supplement to the code, 1913, (C. C. sec. 4240), relating to petitions in commission governed cities, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 501, a bill for an act to amend section 887 of the code (C. C. 4030), relating to a tax for the general fund of the cities and towns, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 657, a bill for an act requiring cities and towns, including cities acting under special charter, commission plan and manager plan of government, and school corporations, and the officers thereof, to limit annual expenditures from the several funds to the annual collectible revenues for such funds, and providing liability therefor, begs

leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

W. G. HASSELL, *Chairman*.

Senator Price invoked rule 8.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 18.

Abben	Hale	Mantz	Shaff
Adams	Hartman	Mead	Slosson
Baird	Haskell	Newberry	Stoddard
Bergman	Holdoegel	Perkins	
Goodwin	Horchem	Scott	

Nays, 21.

Banta	Darting	Rees	Snook
Bowman	Fulton	Romkey	Thurston
Brookins	Johnston	Shane	Tuck
Browne	Kimberly	Shinn	White
Campbell	Nelson	Smith	
Cessna	Price		

Absent or not voting, 10.

Brookhart	Dutcher	McIntosh	Wichman
Buser	Ethell	Olson	
Caldwell	Gilchrist	Reed	

The report was rejected and the bill ordered placed on the calendar.

Also:

MR. PRESIDENT: Your committee on cities and towns to whom was referred House File No. 662, a bill for an act to amend section six hundred ninety-four-b (694-b) supplement to the code 1913, (C. C. sec. 3663), relating to payment of dues in the league of Iowa municipalities, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

W. G. HASSELL, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Senator Darting, from the committee on correctional and penal institutions, submitted the following report:

MR. PRESIDENT: Your committee on correctional and penal institutions to whom was referred Senate File No. 694, a bill for an act so as to require the court, in imposing sentence of confinement in the penitentiary, to fix the minimum sentence, beg leave to report it has had the same under consideration and returns the bill without recommendation.

H. A. DARTING, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on correctional and penal institutions to whom was referred House File No. 496, a bill for an act to amend the law as it appears in section fifty-seven sixteen (5716) supplemental supplement to the code, 1915, as amended by section one (1) chapter two hundred and seven (207) acts of the Thirty-eighth General Assembly (C. C. section 2189) relating to penitentiaries and men's reformatories, beg leave to report it has had the same under consideration and recommends the same do pass.

H. A. DARTING, *Chairman*.

Ordered passed on file.

Senator Cessna submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to whom was referred Senate File No. 9, a bill for an act to amend, revise and codify sections one hundred forty-four (144), one hundred forty-six (146) to one hundred forty-nine (149), inclusive, one hundred fifty-one (151), one hundred fifty-three (153) to one hundred sixty (160), inclusive, of the compiled code of Iowa, and section one hundred fifty (150) of the supplement to said code, relating to appropriations and the drawing and expenditure thereof, and to certain powers and duties of the treasurer of state, and to the security of the public funds, beg leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

First: That the word "Des Moines" in line three (3) of section one (1) be stricken, and the words, "the state of" be substituted therefor;

Second: That section two (2) be stricken, and the following substituted therefor: "Sec. 2. All depositories of state funds shall pay to the treasurer of state, for the use of the state, interest on all deposits at the same rate paid private parties on daily balances; provided such payments shall not be less than two and one-half ($2\frac{1}{2}\%$) per cent. per annum; provided further that all funds which are deposited for a period of six (6) months or more, shall draw interest at the rate of four (4%) per cent. Payments shall be made at such times as may, with the approval of the executive council, be agreed upon by the state treasurer and the depository or depositories."

T. C. CESSNA, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on departmental affairs to whom was referred Senate File No. 696, a bill for an act creating a board of commerce and trade; enumerating its powers and defining its duties; providing for the enforcement of its orders by the district court; and providing for appeals, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the title and inserting in lieu thereof the following:

A BILL FOR

An Act authorizing the board of railroad commissioners to make investigations, findings and orders with respect to persons, firms, associations or corporations engaged in certain industries; providing for the enforcement of its orders through itself and the district court; providing for punishment for disobedience to such orders and providing for appeals.

Also amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. The board of railroad commissioners shall have power on its own motion, and shall at the direction of the Governor, or upon the application of the attorney general, or the commerce counsel, to make full and complete investigations of all persons, firms, associations or corporations engaged in the business of manufacturing, mining, producing, distributing or selling rock, gravel, brick, cement, steel, coal, coke, petroleum or any of its products; lumber and other building materials, farm-implements and machinery, for the purpose of determining whether or not any such persons, firms, associations or corporations are, either directly or indirectly, violating any of the provisions of law relative to combinations, pools, trusts or other organizations which are in restraint of trade, or are unfair, or which discriminate as to price, quality or time and place of delivery, or which seek to control the production, distribution, sale or price of any of the products or materials enumerated in this section.

Sec. 2. In conducting investigations under this act the same rules of procedure and evidence shall be followed as is now provided by law for hearings before the board of railroad commissioners in railroad rate hearings, except as such rules are herein modified or otherwise expressly provided, and in making such investigations, the board is vested with full and complete authority to subpoena witnesses, require their attendance, administer oaths or affirmations, require the production of books, documents and letters and make full record of its proceedings, and it may, by written order, direct the furnishing in writing under oath of such facts, statements and reports as to the board may seem necessary for its use in making such investigations and inquiries.

Sec. 3. Refusal to obey any writ, subpoena or order of the board, or to testify under oath or affirmation, shall constitute contempt and in such event the board may certify to the district court of the county in which such disobedience shall occur, or to the district court of Polk county, the fact of such disobedience and thereupon the district court shall proceed to hear and determine the matter and to punish for contempt to the same extent as though such refusal, failure or disobedience was in such court, and any party found guilty of contempt may be fined not to exceed one thousand (\$1,000.00) dollars, or be imprisoned for failure to pay such fine.

Sec. 4. In any proceeding instituted before the board or initiated by the board, any person, organization or association interested in the matter under investigation may intervene, and for the purpose of making its investigation, the board or the Governor, attorney general or commerce

counsel may call in any person in the employ of the state, or any subdivision thereof, having peculiar knowledge of the matter under investigation for the purpose of aiding in making such investigation.

Sec. 5. No witness shall be privileged from testifying to any matter in any proceedings before the board or in any court on questions arising under this act, or from producing any books, papers, letters, or documents on the ground that the same might or may tend to render such witness criminally liable, but such witness shall not be prosecuted for any offense whatever growing out of or connected with the matters and things so testified to or produced by him except that such witness shall not be exempt from prosecution for perjury committed in so testifying.

Sec. 6. The board shall have power to make findings of fact and if in any case in which an investigation is made by the board, it shall be made to appear to the satisfaction of such board, either by the testimony of witnesses or other competent evidence, that anything has been done or omitted to be done in violation of the laws of this state relating to any unfair act, combinations, pools, trusts or organizations in restraint of trade, or that any unlawful combination or agreement exists for the purpose of controlling the price, time or place of delivery, or the production, manufacture, mining, distribution or sale of any of the products herein enumerated, it shall be the duty of the board forthwith to cause a copy of its report and findings and orders in respect thereto to be delivered to such person, firm, association or corporation together with a notice to it to cease from such violation and to comply with its orders, within a reasonable time to be fixed by the board, and if within the time fixed it shall be made to appear to the board that such person, firm, association or corporation has ceased from such violation of law, in compliance with the findings, orders and notice of the board, a proper entry may be made disposing of such case. The board shall have authority at any time to reopen any case and to make any additional or supplemental orders that may in its judgment be necessary in the premises.

Sec. 7. Whenever any person, firm, association or corporation as defined in this act shall violate or refuse or neglect to obey any order or requirement of the board, it shall be the duty of the board to apply in a summary way by petition to the district court of any county in this state in which such person, firm, association or corporation complained of has its principal office, or in any county in which it transacts any business, or in which the violation or disobedience of such order or requirements shall happen, alleging such violation or disobedience, as the case may be; and the said court shall have power to hear and determine the matter on such short notice as to the court may seem reasonable, and such notice may be served on such person, firm, association or corporation, his or its officers, agents or servants as the court may direct; and said court shall proceed to hear and determine the matter speedily as a court of equity and without the formal pleadings and proceedings applicable to ordinary court suits in equity, but in such manner as to do justice in the premises; and, to this end, such court shall have power, to direct and prosecute, in such mode and by such persons as it may appoint, all such inquiries as the court may think needful to enable it

to form a just judgment of such petition, and on such hearing the findings and report of the board shall be prima facie evidence of the matter therein, or in any order or finding made by them; and if it shall be made to appear to such court on such hearing or on the report of any such person or persons, that the order or requirement of the board in question has been violated or disobeyed, it shall be lawful for such court to issue a writ of injunction or other proper process, mandatory or otherwise, to restrain such person, firm, association or corporation from further continuing such violation or disobedience of such order or requirement of the board and enjoining obedience to the same, and in case of any disobedience of any writ of injunction or other proper process, mandatory or otherwise, it shall be lawful for such court to issue a writ of attachment or any other process of said court incident or applicable to writs of injunction or other proper process, mandatory or otherwise, against such person, firm, association or corporation or the directors, officers or agents of same, or against any owner, lessee, trustee, receiver or any other person failing to obey such writ of injunction or other proper process, mandatory or otherwise; and said court may, if it think fit, make an order directing such person, firm, association or corporation so disobeying such writ of injunction or other proper process, mandatory or otherwise, to pay any sum of money, not exceeding for each person, firm, association or corporation in default, the sum of one thousand (\$1,000.00) dollars for each day after a day to be named in such order that such person, firm, association or corporation shall fail to obey such injunction or other proper process, mandatory or otherwise and such moneys shall, upon order of the court, be paid into the treasury of the county in which the action was commenced and one-half thereof shall be transferred by the county treasurer to the state treasurer and the payment thereof may, without prejudice to any other mode of recovering the same, be enforced by attachment, execution or order in like manner as if same had been recovered by a final decree in personam or in rem in such court, saving to the board or any other person interested the right of appeal to the supreme court of the state under the same regulations now provided by law in relation to appeals to said court as to security for such appeal, except that in no case shall security for such appeal be required when the same is taken by the board; but no appeal to said supreme court shall operate to stay or supersede the order of the court or the execution of any writ or process thereon; and such court may in every such matter order the payment of such costs and attorney and counsel fees as shall be deemed reasonable.

Sec. 8. Whenever any such petition shall be filed or presented or proceeding initiated by the board, or by their direction, it shall be the duty of the attorney general of the state and the commerce counsel of the state to appear for the same, and in such appearance they shall have the right to have the assistance of the county attorney of any county in which any proceedings are instituted, and it is hereby made the duty of any such county attorney to render such assistance. The costs and expenses, on the part of the board, of any such proceeding shall be paid out of the appropriations for court costs under the direction of the executive council.

Sec. 9. In all hearings before the board, the attorney general and the commerce counsel shall appear for the state, for the board, or the Governor, as the case may be.

T. C. CESSNA, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on departmental affairs to whom was referred Senate File No. 693, a bill for an act to abolish the board of parole and to impose the duties thereof on the board of control of state institutions, to increase the membership of said latter board and to provide for their appointment, and to repeal sections of the supplement to the code, 1913, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

T. C. CESSNA, *Chairman*.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 21.

Abben	Brookins	Newberry	Smith
Adams	Fulton	Perkins	Stoddard
Baird	Goodwin	Price	Tuck
Banta	Haskell	Scott	
Bergman	Holdoegel	Shaff	
Bowman	Mantz	Slosson	

Nays, 16.

Browne	Darting	Nelson	Shinn
Buser	Hale	Rees	Snook
Campbell	Horchem	Romkey	Thurston
Cessna	Johnston	Shane	White

Absent or not voting, 12.

Brookhart	Ethell	Kimberly	Olson
Caldwell	Gilchrist	McIntosh	Reed
Dutcher	Hartman	Mead	Wichman

The report was adopted and the bill indefinitely postponed.

Senator Baird submitted the following report:

MR. PRESIDENT: Your committee on claims to which was referred House File No. 443, a bill for an act to compensate Lieut. Col. E. E. Lambert for services rendered to the Iowa National Guard while on recruiting duty, begs leave to report it has had the same under consideration and recommends the same do pass, after being referred to committee on appropriations.

W. S. BAIRD, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on claims to which was referred

Senate File No. 668, a bill for an act making an appropriation to compensate Dr. John W. Martin for professional services rendered to C. W. Adams while a member of the National Guard, begs leave to report it has had the same under consideration and recommends the same do pass, after being referred to committee on appropriations.

W. S. BAIRD, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on claims to which was referred House File No. 513, a bill for an act to compensate one Captain John C. Bradbury of Oskaloosa for services rendered as captain of Troop "F" First Iowa Cavalry from January 26, 1920, to July 17, 1920, and make an appropriation to pay such compensation, begs leave to report it has had the same under consideration and recommends the same do pass after being referred to the committee on appropriations.

W. S. BAIRD, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on claims to which was referred House File No. 521, a bill for an act to provide for an appropriation of one hundred sixty-five dollars (\$165.00) to indemnify Dr. C. B. Miller, secretary-treasurer of the state board of dental examiners for services rendered in conducting examinations of applicants for permission to practice in the state of Iowa during the year 1922, begs leave to report it has had the same under consideration and recommends the same do pass after being referred to the committee on appropriations.

W. S. BAIRD, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Senator Buser submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File No. 698, a bill for an act to amend the law as it appears in sections three thousand one (3001), three thousand three (3003), three thousand four (3004) and three thousand six (3006) of the compiled code, relating to the eradication and destruction of weeds, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. D. BUSER, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred House File No. 732, a bill for an act to amend chapter two hundred eighty-

seven (287) acts of the Thirty-eighth General Assembly (C. C. title VIII, chapter 15) so as to permit the establishment of additional methods for the eradication of bovine tuberculosis and to promote the health and welfare of the citizens of the state, begs leave to report it has had the same under consideration and recommends the same do pass.

J. D. BUSER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred House File No. 599, a bill for an act to amend section two (2) of chapter one hundred seventy-three (173) acts of the Thirty-ninth General Assembly relating to the sale of anti-hog cholera serum and virus and biological products, begs leave to report it has had the same under consideration and recommends the same do pass.

J. D. BUSER, *Chairman*.

Ordered passed on file.

Senator Scott submitted the following report:

MR. PRESIDENT: Your committee on insurance to whom was referred Senate File No. 685, a bill for an act to amend section eighteen hundred twenty-one-a (1821-a) (C. C. 5468) supplement to the code, 1913, relating to the powers of commissioner of insurance, with reference to the examination and inquiry into the affairs of insurance companies, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

R. P. SCOTT, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on insurance to whom was referred House File No. 563, a bill for an act amending section seventeen hundred seventy-nine (1779) of the code, (C. C. 5488) relating to life insurance, beg leave to report it has had the same under consideration and recommends 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 seventeen hundred seventy-nine (1779) of the code, (C. C. 5488), be, and the same is hereby amended by striking out the period following the word 'instance' in line three and inserting in lieu thereof a semicolon and words as follows: 'provided that, by permission of the insurance commissioner, companies may substitute for such securities certificates of sale furnished by the sheriff in connection with the foreclosure of mortgages owned only by said companies and such certificates of sale shall only be accepted for deposit in amount not exceeding the original amount of securities withdrawn, provided, however, that no such change of a security shall be made if the same has been purchased

from any officer, stockholder, agent or employe of the insurer. Such certificate of sale shall be withdrawn at end of period of redemption or within thirty days if redemption is made before time fixed for redemption by law or from date a deed is procured, and provided further, that companies may substitute for such securities, warranty deeds executed by the company owning such securities conveying all the property included in the original mortgage to the commissioner of insurance in trust for the policy holders of said company, and provided that, in no event, shall the certificate issued thereunder be accepted for more than the amount bid at the execution sale. Before depositing any such deed with the commissioner of insurance it shall first be recorded in the county where such property is located. Said deeds shall only be accepted for deposit in amount not exceeding the original amount of security withdrawn and when accompanied by certificate executed by a competent attorney showing that the company has good title to the property conveyed and further showing that the company holds in its office an abstract of title showing title in name of the said company; provided that the total amount of certificates of sale and deeds deposited as herein provided shall not exceed five (5) per cent of the amount any such company is required by law to maintain on deposit with the insurance department, and all such deeds shall be withdrawn within three years from the date of this deposit. Nothing herein contained shall be construed to alter or charge the provisions of section eighteen hundred four (1804) (C. C. 5530) of the code."

R. P. SCOTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to whom was referred Senate File No. 531, a bill for an act to amend section seventeen hundred ninety-eight-B (1798-B) supplement to the code, 1913 (C. C. sec. 5524), relating to the valuation of assessment policies or certificates, or benefit certificates of assessment companies or fraternal beneficiary societies re-incorporated under said section to transact life insurance business, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

R. P. SCOTT, *Chairman*.

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. 502, a bill for an act to amend section 1, chapter 298, acts of the Thirty-eighth General Assembly, (C. C. 2268) relating to the furnishing of information by the superintendent of public instruction relative to regulating teaching and vacancies in teachers' positions, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

BYRON W. NEWBERRY, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on public schools to whom was referred House File No. 690, a bill for an act to amend the law as it appears in section 2773, supplement to the code, 1913, as amended by chapters 24, 143, 160, acts of the Thirty-eighth General Assembly (C. C. 2639), relating to the transportation of pupils in school districts, beg leave to report it has had the same under consideration and recommends the same do pass.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Senator Banta submitted the following report::

MR. PRESIDENT: Your committee on printing to whom was referred Senate File No. 674, a bill for an act to amend section six hundred eighty-six (686) of the code, 1897, as amended by chapter eighty-four (84) of the acts of the Thirty-ninth (39th) General Assembly (C. C. section 3580), relating to publication of ordinances, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out all following the enacting clause and inserting in lieu thereof the following:

"Section 1. That the law as it appears in section six hundred eighty-six (686) of the code, 1897, as amended by chapter eighty-four (84) of the acts of the Thirty-ninth (39th) General Assembly (C. C. section 3580) be, and the same is hereby amended to read as follows: 'All ordinances shall, as soon as may be after their passage, be recorded in a book kept for that purpose, and be authenticated by the signature of the presiding officer of the council and the clerk; and all ordinances of a general or permanent nature, and those imposing any fine, penalty or forfeiture shall be published in a newspaper published and having a general circulation in the city or town; and it shall be sufficient defense to any suit or prosecution for such fine, penalty or forfeiture to show that no such publication was made; but if no such newspaper is published within the limits of the corporation, then such ordinances may be published in a newspaper to be designated by the council, having a general circulation in such city or town, or by posting up copies thereof in three public places within the limits thereof, two of which places shall be the postoffice and the mayor's office of such city or town. When the ordinance is published in a newspaper, it shall take effect from and after its publication; when published by posting, it shall take effect five days thereafter. Immediately following the record of every ordinance, the clerk shall append a certificate, stating therein the time and manner of publication thereof, which certificate shall be presumptive evidence of the facts therein stated.'"

GEORGE S. BANTA, *Chairman.*

Ordered passed on file.

Senator Mead submitted the following report:

MR. PRESIDENT: Your committee on fish and game to whom was re-

ferred House File No. 304, a bill for an act to amend sections 2563-a3, 2563-a7, 2563-a9 of the supplement to the code, 1913; 2563-a4 of the supplemental supplement to the code, 1915, (C. C. sections 1142, 1143, 1146, 1148) relating to the issuance of hunting licenses, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

O. L. MEAD, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Also:

MR. PRESIDENT: Your committee on fish and game to whom was referred Senate File No. 306, a bill for an act to amend section two thousand five hundred fifty-one (2551) of the supplemental supplement to the code, 1915, as amended by the acts of the Thirty-seventh General Assembly, (C. C. sec. 1124), so as to prohibit the shooting or killing of wild ducks and geese over or by the use of live decoys, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

O. L. MEAD, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Senator Smith submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File No. 677, a bill for an act to repeal section one thousand three hundred five (1305) of the supplement to the code, 1913 (C. C. sec. 4584) and to enact a substitute therefor relating to the valuation of property for purposes of taxation, begs leave to report it has had the same under consideration and recommends the same do pass.

ED. M. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred House File No. 680, a bill for an act to amend chapter one hundred sixty-seven (167) acts of the Thirty-ninth General Assembly, relating to the levy of a tax to pay an annuity to the donor of property to a municipal corporation, and to provide for the disposition of the fund raised by such tax, begs leave to report it has had the same under consideration and recommends the same do pass.

ED. M. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred House File No. 557, a bill for an act to amend section one thousand three hundred fourteen (1314) of the code (C. C. 4496) and section one thousand three hundred eighteen (1318) of the code (C. C. 4499) pertaining to the listing and taxation of property, begs leave to report it

has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking the period following the word "title" in line seven of section 1318 of the code, 1897 (C. C. 4499) and by inserting in lieu thereof a comma (,).

Also amend by adding to the bill the following—to be known as section three of the bill:

"Section 3. That section thirteen hundred eighteen (1318) of the code, 1897 (C. C. 4499) be amended by adding thereto at the end thereof the following: 'Provided that every warehouseman as herein specified shall file with the assessor of the township or municipality wherein his warehouse is situated a written statement showing all property in his possession belonging to another subject to taxation, and the name and address of the person, firm, corporation or estate to which it belongs; and in the event said warehouseman fails to furnish such statement to said assessor upon request, then all property in possession of the warehouseman belonging to another subject to taxation, shall be deemed to be owned by the warehouseman for the purposes of taxation, and he shall be liable for taxes thereon'".

ED. M. SMITH, *Chairman*.

Ordered passed on file.

Senator Caldwell, from the committee on drainage, submitted the following report: .

MR. PRESIDENT: Your committee on drainage to whom was referred House File No. 315, a bill for an act to amend section 1989-a-61 of the supplemental supplement to the code 1915, (C. C. 4918) and to enable all drainage or levy districts to be placed under the management and control of trustees, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by adding after the word established in line six (6) of section one (1) the following: "not containing pumping stations"

W. A. CALDWELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on drainage to whom was referred Senate File No. 692, a bill for an act to amend the law as it appears in sections 4851 and 4855 of the compiled code, relating to levees, ditches and water courses, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out section 1.

W. A. CALDWELL, *Chairman*.

Ordered passed on file.

Senator Reed, 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. 594, a bill for an act to amend section five thousand seven hundred eighteen-a18 (5718-a18) of the supplement to the code, 1913, (C. C. 2247), relating to the power of the board of parole to grant paroles, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

CARL W. REED, *Chairman*.

The report was rejected and the bill placed on the calendar.

Senator Holdoegel, from the committee on highways, submitted the following report:

MR. PRESIDENT: Your committee on highways to whom was referred Senate File No. 580, a bill for an act to amend section two thousand seventeen (2017) of the supplemental supplement to the code, 1915, (C. C. sec. 5002) relating to the changing, alteration and relocation of highways, railroads and railroad crossings, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

P. C. HOLDOEGEL, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Senator Perkins submitted the following report:

MR. PRESIDENT: Your committee on corporations to whom was referred House File No. 202, a bill for an act to amend, revise and codify sections fifty-three hundred seventy-seven (5377) and fifty-three hundred seventy-eight (5378) of the compiled code of Iowa, relating to corporate shares of stock, beg leave to report it has had the same under consideration and recommends the same do pass.

GEO. B. PERKINS, *Chairman*.

Ordered passed on file.

Senator Hartman, 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. 672, a bill for an act to amend section 227, of the supplemental supplement to the code, 1915, relating to number of judges in each district, and providing that the number of judges in the sixteenth district shall be three, beg leave to report it has had the same under consideration and recommends the same do pass.

G. S. HARTMAN, *Chairman*.

Ordered passed on file.

Senator Adams submitted the following report:

MR. PRESIDENT: Your committee on railroads to whom was referred Senate File No. 679, a bill for an act to repeal section seven hundred sixty-nine (769) of the code (C. C. sec. 3817) and to enact a substitute therefor, relating to regulation of railroads within cities and towns, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. C. ADAMS, *Chairman*.

The report was adopted and the bill indefinitely postponed.

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to whom was referred Senate File No. 567, a bill for an act to pension survivors of the Captain John W. Ferguson's Company of state militia known as Davis County Regulators, providing amount of such pension, method of payment and making an appropriation therefor, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking from lines eleven (11) and twelve (12) of section one (1) the words and figures "two hundred forty dollars (\$240.00) on the first day of June, 1923,"

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to whom was referred Senate File No. 613, a bill for an act to repeal sections seven (7) and eight (8) chapter 14, acts of the Thirty-ninth General Assembly, and enacting substitutes therefor, relating to vocational education, beg leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to whom was referred Senate File No. 614, a bill for an act to amend section one (1) of chapter 296, acts of the Thirty-ninth General Assembly, and section two (2) of chapter 296, acts of the Thirty-ninth General Assembly, relating to the appropriation of state funds to meet the federal appropriation aiding vocational education, beg leave to report it has had the same under consideration and recommends 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 chapter two hundred ninety (290), laws of the Thirty-seventh General Assembly as amended by chapter three hundred thirty-

seven (337), laws of the Thirty-eighth General Assembly, and chapter two hundred ninety-six (296) laws of the Thirty-ninth General Assembly is amended by striking out all of lines 22, 23, 24, 25 and 26, enacted by chapter three hundred thirty-seven (337), laws of the Thirty-eighth General Assembly, and substituting in lieu thereof the following:

"For the purpose of carrying out the provisions of this act, there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated the sum of fifty thousand dollars (\$50,000.00) for the year ending June 30, 1924, and the sum of fifty thousand dollars (\$50,000.00) for the year ending June 30, 1925."

Sec. 2. That section ten (10) of chapter two hundred ninety (290), laws of the Thirty-seventh General Assembly as amended by section two (2) of chapter three hundred thirty-seven (337), laws of the Thirty-eighth General Assembly and by section two (2), chapter two hundred ninety-six (296), laws of the Thirty-ninth General Assembly, is amended by striking out the figures "1922" in line six (6) and inserting in lieu thereof the figures "1924", and by striking out the figures "1923" in line seven (7) and inserting in lieu thereof the figures "1925".

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to whom was referred Senate File No. 465, a bill for an act to make appropriations to the State University of Iowa, and the Iowa State College of Agriculture and Mechanic Arts, for the purpose of providing dormitories at Iowa City and at Ames, beg leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to whom was referred Senate File No. 462, a bill for an act to make appropriations for the State University of Iowa, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers College, and the Iowa School for the Deaf, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out of section one (1) the following: "Department of Homeopathic Materia Medica and Therapeutics (To meet the provisions of chapter 109, acts of the Thirty-eighth General Assembly) (compiled code, section 2348)—\$30,000.00."

Also amend section one (1) by striking out the words and figures "four hundred twelve thousand dollars (\$412,000.00) in lines three and four and inserting in lieu thereof the following: "three hundred eighty-two thousand dollars (\$382,000.00)."

Amend section one (1) by striking out the figures "\$412,000.00" in line twelve (12) thereof and inserting in lieu thereof the figures "\$382,000.00".

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 572, a bill for an act providing for the support and maintenance of the Iowa National Guard reservations, Camp Dodge, and making an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out of line five (5) section one (1) the words and figures "thirty thousand dollars (\$30,000.00), and inserting in lieu thereof the words and figures "twenty thousand dollars (\$20,000.00)."

Also by striking from line fourteen (14) of section one (1) the figures "\$30,000.00" and insert in lieu thereof the figures "\$20,000.00."

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to whom was referred Senate File No. 527, a bill for an act to aid county and district fairs, livestock shows and agricultural societies in the advancement of diversified farming and livestock raising and to make an appropriation therefor, beg leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to whom was referred House File No. 510, a bill for an act to appropriate \$12,597.40, or so much thereof as may be necessary for the purpose of paying drainage assessments against state owned land in connection with the drainage of East Swan Lake, beg leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to whom was referred House File No. 791, a bill for an act to amend section three (3) chapter three hundred sixty-eight (368), acts of the Thirty-eighth General Assembly, (C. C. sec. 1186) relating to the appropriation for the purchase of state parks, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the figures "\$25,000.00" appearing in the last line thereof and inserting in lieu thereof the figures "\$75,000.00."

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to whom was referred House File No. 789, a bill for an act to amend section two thousand five hundred seven (2507) supplemental supplement to the code, 1915, as amended by chapter 329, acts of the Thirty-eighth General Assembly, as amended by chapter 209, acts of the Thirty-ninth General Assembly (S. C. C. 903), relating to appropriation for expenses of oil department, beg leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to whom was referred Senate File No. 710, a bill for an act to provide for a portrait of the Honorable Jonathan Prentiss Dolliver and making an appropriation therefor, beg leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to whom was referred House File No. 743, a bill for an act to amend chapter 309 of the Thirty-ninth General Assembly, in regard to the annual appropriation of funds to enable the state railroad commission to investigate and prosecute state cases and to investigate and determine all cases within its jurisdiction, beg leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to whom was referred Senate File No. 656, a bill for an act to create a literacy commission; to provide for the membership thereof, and for the appointment of an executive secretary; to fix the salary, to locate the office, and make an appropriation therefor, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

B. M. STODDARD, *Chairman*.

The report was adopted and the bill indefinitely postponed.

HOUSE AMENDMENTS CONSIDERED

Senator Romkey called up for consideration Senate File No. 645, amended by the House, and moved that the Senate concur in the following amendments:

Amend the title by inserting after the word "assembly" in line two (2) the following: "(S. C. C. 3878)".

Also, amend section one (1) by inserting after the word "Assembly" in line (2) thereof the following: "(S. C. C. 3878)".

On the question "Shall the Senate concur?" the vote was:

Ayes, 30.

Abben	Gilchrist	Perkins	Smith
Baird	Goodwin	Price	Snook
Banta	Hale	Romkey	Stoddard
Brookins	Hartman	Scott	Thurston
Browne	Johnston	Shaff	Tuck
Buser	Kimberly	Shane	White
Caldwell	Nelson	Shinn	
Campbell	Newberry	Slosson	

Nays, none.

Absent or not voting, 19.

Adams	Darting	Holdoegel	Olson
Bergman	Dutcher	Horchem	Reed
Bowman	Ethell	McIntosh	Rees
Brookhart	Fulton	Mantz	Wichman
Cessna	Haskell	Mead	

The House amendment having received a constitutional majority was declared to have been adopted and 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 bill in which the concurrence of the Senate is asked:

House File No. 529, a bill for an act to amend sections twenty-six hundred thirty-four-f (2634-f), supplement to the code, 1913, (C. C. 2299, 2300), relating to the board of educational examiners.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 734, a bill for an act to amend section one (1), chapter one hundred seventy-two (172), laws of the Thirty-seventh General Assembly (C. C. 3923), relating to the improvement by oiling of streets and alleys and parts thereof in cities and towns and the taxing of the cost to property benefited.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 742, a bill for an act relating to water along the highways of the state, and authorizing and empowering boards of supervisors to establish benefited districts and to levy special assessments for water against such benefited district.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 678, a bill for an act authorizing cities and towns and cities acting under special charter to provide hospital, nursing and medical attention for the members of the police and fire departments of such cities, injured while in the performance of their duties.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 645, a bill for an act to amend section one (1) of chapter two hundred and ten (210) acts of the Thirty-ninth (39th) General Assembly, relating to contracts and maintenance bonds for street and sewer improvements.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 734, a bill for an act to amend section one (1), chapter one hundred seventy-two (172), laws of the Thirty-seventh General Assembly (C. C. 3923), relating to the improvement by oiling of streets and alleys and parts thereof in cities and towns and the taxing of the cost to property benefited.

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

House File No. 529, a bill for an act to amend sections twenty-six hundred thirty-four-f (2634-f), supplement to the code, 1913, (C. C. 2299, 2300), relating to the board of educational examiners.

Read first and second time and referred to committee on educational institutions.

House File No. 742, a bill for an act relating to water along the highways of the state, and authorizing and empowering boards of supervisors to establish benefited districts and to levy special assessments for water against such benefited district.

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

House File No. 678, a bill for an act authorizing cities and towns and cities acting under special charter to provide hospital, nursing and medical attention for the members of the police

and fire departments of such cities, injured while in the performance of their duties.

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

THIRD READING OF BILLS

On motion of Senator Buser, Senate File No. 724, a bill for an act to amend an act, of the Fortieth General Assembly, known as Senate File No. 319, and relating to powers of special charter cities, by providing for the time when said act shall take effect, a committee bill, was taken up and considered.

On motion of Senator Buser 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 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, 40.

Abben	Cessna	Johnston	Shaff
Adams	Darting	Kimberly	Shane
Baird	Ethell	Mantz	Shinn
Banta	Fulton	Mead	Slosson
Bergman	Goodwin	Nelson	Smith
Bowman	Hale	Newberry	Snook
Brookins	Hartman	Price	Stoddard
Browne	Haskell	Rees	Thurston
Buser	Holdoegel	Romkey	Tuck
Campbell	Horchem	Scott	White

Nays, none.

Absent or not voting, 9.

Brookhart	Gilchrist	Perkins	Wichman
Caldwell	McIntosh	Reed	
Dutcher	Olson		

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

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which the Senate failed to concur in House amendments to Senate File No. 594.

T. C. CESSNA.

On motion of Senator Baird Senate File No. 545 was ordered withdrawn from the committee on judiciary No. 1 and placed on the calendar.

By unanimous consent on request of Senator Ethell House File No. 137 was ordered placed on the calendar.

By unanimous consent Senator Horchem withdrew Senate Files Nos. 332, 288 and 289 from further consideration.

By unanimous consent Senator Abben withdrew Senate File No. 571 from further consideration.

On motion of Senator Price Senate File No. 658 was ordered returned by the committee and placed on the calendar.

Senator Price moved that the rule requiring two readings of the title on bills to be withdrawn be waived, which motion prevailed.

By unanimous consent the following bills were withdrawn from further consideration: Senate File No. 324 by Senator Campbell and Senate File No. 519 by Senator Caldwell.

On motion of Senator Baird House File No. 557 was substituted for Senate File No. 557.

On motion of Senator Buser House File No. 469 was requested returned by the House.

On motion of Senator Brown Senate File No. 593 was ordered returned by the committee and placed on the calendar.

By unanimous consent on request of Senator Holdoegel House File No. 578 was ordered placed on the calendar.

SIFTING COMMITTEE

The President announced the following as members of the sifting committee:

Senators Perkins, chairman; White, Hale, Campbell, Baird, Shane and Bergman.

AMENDMENT FILED

MR. PRESIDENT: I move to amend House File No. 607 by striking from line 8, section 1, the word "moisture" and the comma following same.

J. O. SHAFF.

The Journal of April 3d was corrected and approved.

On motion of Senator Price the Senate adjourned until 9 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, April 5, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. W. C. Rowland, pastor of the First Presbyterian church, of Alta, Iowa.

On motion of Senator Holdoegel rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

Senator Price presented petitions from miners and wives of mines of Flagler endorsing House File 395 relative to wash houses at mines. Referred to committee on mines and mining.

Senator Holdoegel presented petitions from citizens of Manson protesting the proposed tax on tobacco. Referred to committee on ways and means.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 811, a bill for an act to legalize an election held in the city of Oskaloosa, Iowa, and the issuance and sale of bonds by said city pursuant thereto.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 626, a bill for an act to repeal section two hundred seventy-eight (278) of the code, (C. C. 6910), relating to the salary of judges of superior courts, and to enact a substitute therefor, also to amend section two hundred sixty-two (262) of the code (C. C. 6907) relating to powers of judges of superior courts.

Also, 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 creating city and county boards of public welfare for the supervision and regulation of theatres, public

dance halls, road-houses and other places of public amusement or recreation, and providing how appointed and defining their powers.

Also, that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

Concurrent resolution inviting Senator-elect W. N. Ferris of Michigan, to address a joint convention Friday morning, April 6th, at 11:45.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Olson, House File No. 405, a bill for an act to amend section twenty-two hundred forty-seven (2247) of the supplement to the code, 1913, (C. C. sec. 3300) relating to the levy of an assessment for the support of the poor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Price moved that further action be deferred, which motion prevailed.

On motion of Senator Scott, House File No. 413, a bill for an act to amend section thirty-one hundred eighty-eight (3188) of the code, (C. C. 6637) relating to the period of minority of both sexes, 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 thereto the following:

Sec. 2. This act shall not apply to unmarried females who shall have attained the age of eighteen on or prior to July 4, 1923.

The bill was read for information.

Senator Scott moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Gilchrist	Newberry	Shinn
Baird	Goodwin	Olson	Slosson
Banta	Hale	Perkins	Smith
Bergman	Hartman	Price	Snook
Bowman	Haskell	Reed	Stoddard
Brookings	Johnston	Rees	Thurston
Browne	Kimberly	Romkey	Tuck
Bußer	Mantz	Scott	White
Campbell	Mead	Shaff	Wichman
Darting	Nelson	Shane	

Nays, 1.

Ethell

Absent or not voting, 9.

Adams
Brookhart
Caldwell

Cessna
Dutcher
Fulton

Holdoegel
Horchem

McIntosh

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Holdoegel House File No. 732, a bill for an act to amend chapter two hundred eighty-seven (287) acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly (C. C. title VIII, chapter 15) so as to permit the establishment of additional methods for the eradication of bovine tuberculosis and to promote the health and welfare of the citizens of the state, was substituted for Senate File No. 601, taken up and considered.

Senator Bowman offered the following amendment and moved its adoption:

Amend by striking from line 4 of section 10k the word "five" and inserting in lieu thereof the word "two".

Senator Bowman withdrew his amendment.

On motion of Senator Price further debate on this bill was limited to five minutes for each speaker.

Senator Bowman offered the following amendment and moved its adoption:

Amend by striking out all of section 10-k and substituting the following: "Any owner, who shall sign an agreement with the commission of animal health for testing in any county under the county area plan, shall pay upon making test fifty cents (50c) for each animal so tested."

Senator Thurston moved the previous question, which motion prevailed and the previous question was ordered.

Senator Bowman invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 12.

Bowman
Caldwell
Hartman

Haskell
Mantz
Nelson

Newberry
Olson
Price

Romkey
Shaff
Snook

Nays, 33.

Adams	Cessna	Horchem	Shane
Baird	Darting	Johnston	Shinn
Banta	Ethell	Kimberly	Slosson
Bergman	Fulton	Mead	Smith
Brookins	Gulchrist	Perkins	Stoddard
Browne	Goodwin	Reed	Thurston
Buser	Hale	Rees	Tuck
Campbell	Holdoegel	Scott	White
			Wichman

Absent or not voting, 4.

Abben	Brookhart	Dutcher	McIntosh
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The amendment was lost.

The bill was read for information.

Senator Holdoegel moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Adams	Ethell	Nelson	Shane
Baird	Gilchrist	Newberry	Snook
Banta	Goodwin	Olson	Stoddard
Bergman	Holdoegel	Perkins	Tuck
Brookins	Horchem	Rees	White
Cessna	Kimberly	Scott	Wichman
Darting	Mantz	Shaff	

Nays, 16.

Bowman	Campbell	Haskell	Shinn
Browne	Fulton	Johnston	Slosson
Buser	Hale	Mead	Smith
Caldwell	Hartman	Romkey	Thurston

Absent or not voting, 6.

Abben	Dutcher	Price	Reed
Brookhart	McIntosh		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Holdoegel moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

HOUSE CONCURRENT RESOLUTION CONSIDERED

Senator Mantz called up the following resolution:

Inasmuch as W. N. Ferris, United States Senator-elect from Michigan, is to be in this city on Friday, April 6th, be it resolved by the House of Representatives, the Senate concurring, that he be invited to address

the House and the Senate in joint session at 11:45 A. M. on the date before mentioned.

By unanimous consent the resolution was taken up and considered.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 23.

Adams	Gilchrist	Nelson	Romkey
Baird	Goodwin	Newberry	Scott
Banta	Holdoegel	Olson	Snook
Bergman	Horchem	Perkins	Stoddard
Brookins	Kimberly	Price	Wichman
Cessna	Mantz	Rees	

Nays, 13.

Bowman	Darting	Haskell	Smith
Buser	Ethell	Shaff	Thurston
Caldwell	Hale	Shinn	White
Campbell			

Absent or not voting, 13.

Abben	Fulton	McIntosh	Shane
Brookhart	Hartman	Mead	Slosson
Browne	Johnston	Reed	Tuck
Dutcher			

The resolution was adopted.

Senator Cessna called up for consideration his motion to reconsider the vote by which the Senate failed to concur in the House amendments to Senate File No. 594.

Senator Baird raised the point of order that a Senator voting in the affirmative had filed the motion to reconsider, which was contrary to the rules.

The President held the point well taken.

Senator Darting moved that the Senate reconsider the vote by which the Senate failed to concur in the House amendments to Senate File No. 594, which motion prevailed.

Senator Cessna invoked rule 8.

On the question "Shall the Senate concur in the House amendments?" the vote was:

Ayes, 29.

Adams	Brookhart	Buser	Darting
Bergman	Brookins	Campbell	Ethell
Bowman	Browne	Cessna	Goodwin

Hale	Nelson	Shane	Tuck
Hartman	Olson	Shinn	Wichman
Johnston	Price	Slosson	
Mantz	Rees	Snook	
Mead	Romkey	Thurston	

Nays, 16.

Baird	Gilchrist	Newberry	Shaff
Banta	Haskell	Perkins	Smith
Caldwell	Horchem	Reed	Stoddard
Fulton	Kimberly	Scott	White

Absent or not voting, 4.

Abben	Dutcher	Holdoegel	McIntosh
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The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Shane moved that for the remainder of the session the author of a Senate bill or the sponsor of a House bill, have five minutes in opening the debate and ten minutes in closing and all others have not exceeding five minutes each, and as above excepted, no Senator speak more than once on the same bill.

On motion of Senator Smith action on this motion was deferred.

REPORTS OF COMMITTEES

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to whom was referred Senate File No. 464, a bill for an act to make appropriations for the construction of buildings and the purchase of land at the State University of Iowa, and the Iowa State College of Agriculture and Mechanic Arts, beg leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking from lines three (3) and four (4) of section one (1), the words and figures "eight hundred thousand dollars (\$800,000.00)" and substitute therefor the words and figures "two hundred fifty thousand dollars (\$250,000.00)."

Amend by striking from line four (4), section two (2), the words and figures "eight hundred thousand dollars (\$800,000.00)" and substitute therefor the words and figures "five hundred thousand dollars (\$500,000.00)."

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to whom was referred Senate File No. 711, a bill for an act making an appropriation

to provide for Ardis Roberdee recipient of injuries in line of duty at Camp Dodge, Iowa, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out all after section one (1) and substituting in lieu therefor the following:

Sec. 2. There is hereby appropriated out of any money in the state treasury the sum of seven thousand five hundred dollars (\$7,500.00) for the benefit of Ardis Roberdee and the state auditor is hereby authorized and directed to issue a warrant for said sum payable to E. R. Moore of Cedar Rapids, Iowa, as trustee, and the treasurer of state is hereby authorized and directed to pay, out of any funds in the state treasury not otherwise appropriated, to said trustee the said sum of seven thousand five hundred dollars (\$7,500).

Sec. 3. Said trustee shall, before the payment of said warrant, qualify as such trustee by filing with the clerk of the district court of Linn county, Iowa, a bond in double the amount of this appropriation, said bond to be approved by the clerk of said court.

Sec. 4. The said trustee is hereby authorized, empowered and directed to invest said sum in government, state, county or municipal bonds, or first mortgages upon Iowa farm real estate, or otherwise as directed by the district court of Linn county, Iowa, said sum to be invested so as to yield the largest rate of interest compatible with safety.

Sec. 5. The trustee shall use the interest derived from said fund, and such part of the principal as may be approved by the district court of Linn county, Iowa, for the education, keep and care of said Ardis Roberdee until said fund and the income shall have been consumed.

Sec. 6. The said trustee shall make annual reports of his doing to the district court of Linn county, Iowa, and said district court of Linn county, Iowa is hereby authorized to make such orders touching the investment and disbursement of said sum and the income therefrom as may be recommended by the said trustee or his successors and be approved by said court.

A vacancy in the office of said trustee shall be filled by appointment by the district court of Linn county, Iowa, or a judge thereof.

Sec. 7. Upon the death of said Ardis Roberdee the trust fund remaining in the hands of the trustee, if any, shall pass to his estate and be distributed as other property.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that, on April 4th, he had signed Senate Files Nos. 453, 417, 424, 447, 511, 611 and 181.

THIRD READING OF BILLS

On motion of Senator Ethell, Senate File No. 137, a bill for an act to amend, revise and codify sections thirty-one hundred sixty-one (3161), thirty-one hundred sixty-three (3163), thirty-one hundred seventy-seven (3177), thirty-one hundred seventy-nine (3179), thirty-one hundred ninety-one (3191), thirty-one hundred ninety-four (3194), thirty-two hundred eight (3208), thirty-two hundred ten (3210), thirty-two hundred thirty-one (3231), sixty-nine hundred eighty-six (6986) and sixty-nine hundred eighty-seven (6987) of the compiled code of Iowa, and sections twenty-five hundred six (2506), thirty-one hundred sixty-two (3162), thirty-one hundred sixty-four (3164), thirty-one hundred seventy-six (3176), thirty-one hundred seventy-eight (3178), thirty-one hundred seventy-eight-a one (3178-a1), thirty-one hundred eighty-seven (3187), thirty-one hundred eighty-eight (3188), thirty-two hundred nine (3209), thirty-two hundred eleven (3211), sixty-nine hundred eighty-three (6983) and sixty-nine hundred eighty-five (6985) of the supplement to said code, relating to compensation of county officers, appointment and compensation of their deputies and the collection and accounting of fees, with report of committee recommending amendments and passage, was taken up and considered.

Senator Stoddard moved that House File No. 137 be substituted for Senate File No. 137.

Senator Shaff moved the previous question, which motion prevailed, and the previous question was ordered.

On the question "Shall House File No. 137 be substituted for Senate File No. 137?" the vote was:

Ayes, 33.

Abben	Gilchrist	Mead	Scott
Adams	Goodwin	Newberry	Shaff
Baird	Hale	Olson	Shane
Bergman	Hartman	Perkins	Shinn
Bowman	Holdoegel	Price	Slosson
Brookins	Horchem	Reed	Snook
Caldwell	Kimberly	Rees	Stoddard
Darting	Mantz	Romkey	White
			Wichman

Nays, 9.

Browne	Cessna	Fulton	Thurston
Buser	Ethell	Johnston	Tuck
Campbell			

Absent or not voting, 7.

Banta
BrookhartDutcher
HaskellMcIntosh
Nelson

Smith

The substitution was made, and on motion of Senator Ethell. House File No. 137, a bill for an act to amend, revise, and codify sections thirty-one hundred sixty-one (3161), thirty-one hundred sixty-three (3163), thirty-one hundred seventy-seven (3177), thirty-one hundred seventy-nine (3179), thirty-one hundred ninety-one (3191), thirty-one hundred ninety-four (3194), thirty-two hundred eight (3208), thirty-two hundred ten (3210), thirty-two hundred thirty-one (3231), sixty-nine hundred eighty-six (6986) and sixty-nine hundred eighty-seven (6987) of the compiled code of Iowa, and sections twenty-five hundred six (2506), thirty-one hundred sixty-two (3162), thirty-one hundred sixty-four (3164), thirty-one hundred seventy-six (3176), thirty-one hundred seventy-eight (3178), thirty-one hundred seventy-eight-a one (3178-a1), thirty-one hundred eighty-seven (3187), thirty-one hundred eighty-eight (3188), thirty-two hundred nine (3209), thirty-two hundred eleven (3211), sixty-nine hundred eighty-three (6983) and sixty-nine hundred eighty-five (6985) of the supplement to said code, relating to compensation of county officers, appointment and compensation of their deputies and the collection and accounting of fees, was taken up and considered.

Senator Price moved that the Senate reconsider the vote by which the previous question was ordered, which motion was lost.

Senator Price raised the point of order that there was no amendment proposed before the previous question was ordered and one could not be considered at this time.

The President held the point well taken.

Senator Stoddard moved that the rules be suspended and that he be permitted to offer an amendment.

Senator Smith raised the point of order that it was not a question of the suspension of the rules, but the unanimous consent.

The President held the point well taken.

By unanimous consent on request of Senator Stoddard the vote by which the previous question was ordered was reconsidered.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking out the words and figures ninety-five thousand (95,000) in lines six (6) and seven (7) section ten (10) and substitute in lieu thereof the words and figures seventy thousand (70,000).

The amendment was adopted.

Senator Smith offered the following amendment and moved its adoption:

Amend by striking from line 2 of section 18, chapter 2, the words "county superintendent of schools".

Also amend by striking out section 14 and renumbering the following sections.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 16.

Brookhart	Ethell	Romkey	Smith
Browne	Hartman	Shane	Snook
Buser	Nelson	Shinn	Thurston
Campbell	Price	Slosson	Tuck

Nays, 25.

Abben	Brookins	Haskell	Perkins
Adams	Caldwell	Horchem	Reed
Baird	Darting	Johnston	Rees
Banta	Fulton	Kimberly	Scott
Bergman	Goodwin	Mantz	Stoddard
Bowman	Hale	Newberry	White
			Wichman

Absent or not voting, 8.

Cessna	Gilchrist	McIntosh	Olson
Dutcher	Holdoegel	Mead	Shaff

The amendment was lost.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out of section 9 lines 5 and 6 the words and figures "twenty-five thousand (25,000)" and inserting in lieu thereof the words and figures "twenty thousand (20,000)" and by adding "in counties having a population of twenty thousand (20,000) and not exceeding twenty-five thousand (25,000), sixteen hundred dollars (\$1600.00)".

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking out section 15-a and inserting in lieu thereof the following: "Sec. 15-a. In any county having two county seats and

where the district court is held in two places, the first deputy county auditor, county treasurer, county clerk, and county recorder, or the deputy in charge of such office, shall receive sixty-five per cent (65%) of the amount of the salary of his principal."

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 29.

Abben	Buser	Mantz	Scott
Baird	Darting	Nelson	Shaff
Bergman	Ethell	Newberry	Shane
Bowman	Fulton	Olson	Shinn
Brookhart	Gilchrist	Perkins	Snook
Brookins	Hale	Price	Stoddard
Browne	Hartman	Romkey	Tuck
			Wichman

Nays, 17.

Banta	Haskell	Mead	Smith
Caldwell	Holdoegel	Reed	Thurston
Campbell	Johnston	Rees	White
Cessna	Kimberly	Slosson	
Goodwin			

Absent or not voting, 4.

Adams	Dutcher	Horchem	McIntosh
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The amendment was adopted.

Senator Price offered the following amendment and moved its adoption:

Amend by striking from line 8 of section 7 the words and figures "nineteen hundred dollars (\$1,900.00)" and inserting in lieu thereof the words and figures "two thousand dollars (\$2,000.00)".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 16.

Abben	Gilchrist	Kimberly	Shane
Bergman	Goodwin	Mead	Stoddard
Bowman	Hartman	Olson	Tuck
Ethell	Horchem	Price	

Nays, 28.

Adams	Darting	Nelson	Shinn
Baird	Fulton	Newberry	Slosson
Banta	Hale	Perkins	Smith
Browne	Haskell	Reed	Snook
Buser	Holdoegel	Rees	Thurston
Campbell	Johnston	Romkey	White
Cessna	Mantz	Shaff	Wichman

Absent or not voting, 5.

Brookhart	Dutcher	McIntosh	Scott
Brookins			

The amendment was lost.

Senator Ethell moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Abben	Fulton	Mead	Shane
Adams	Gilchrist	Newberry	Shinn
Baird	Goodwin	Olson	Slosson
Banta	Hale	Perkins	Smith
Bergman	Hartman	Price	Snook
Bowman	Haskell	Reed	Stoddard
Brookins	Holdoegel	Rees	White
Caldwell	Horchem	Romkey	Wichman
Campbell	Kimberly	Scott	
Darting	Mantz	Shaff	

Nays, 7.

Brookhart	Buser	Nelson	Tuck
Browne	Johnston	Thurston	

Absent or not voting, 4.

Cessna	Dutcher	Ethell	McIntosh
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent Senator Ethell withdrew Senate File No. 137 from further consideration.

Senator Holdoegel moved that the President of the Senate appoint someone to keep the temperature of the room at 70 degrees, which motion prevailed.

Senator Bowman moved that as an All-wise Providence had called unto Himself former Governor Boies, that the Senate stand with bowed heads for thirty seconds in silent prayer, which motion prevailed.

Senator Bowman moved further that the President appoint a committee of three to draft suitable resolutions of condolence and send the same to the family.

The motion prevailed and the President appointed as such committee Senators Bowman, White and Snook.

On motion of Senator Buser the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Ham-mill presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator McIntosh for the day, on request of Senator Bowman.

INTRODUCTION OF BILLS

Senate File No. 732, by committee on insurance, a bill for an act to amend section one (1) chapter one hundred twenty (120), laws of the Thirty-ninth General Assembly (S. C. C. Sec. 5696-a1) relating to policies issued under the provisions of said chapter to insure against loss by hail storms.

Read first and second times and placed on the calendar.

Senate File No. 733, by committee on departmental affairs, a bill for an act to amend sections one hundred sixty-two (162) and one hundred sixty-three-a (163-a) of the supplement to the code, 1913 (C. C. 282, 274) and to repeal section one hundred seventy-s (170-s)) of the supplemental supplement to the code, 1915 (C. C. 277) and to enact a substitute therefor and to repeal section one hundred seventy-v (170-v) of the supplemental supplement to the code, 1915 (C. C. 279) relating to the duties of the board of audit.

Read first and second times and placed on the calendar.

Senate File No. 734, by committee on departmental affairs, a bill for an act to amend section 155 of the code (C. C. 248); also to amend section 268 of the code (C. C. 262) to provide that the secretary of agriculture shall be a member of the executive council.

Read first and second times and placed on the calendar.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 352, a bill for an act to provide for the training of

teachers for the elementary schools in private colleges, under the direction of the state board of education, and making an appropriation therefor.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 626, a bill for an act to repeal section two hundred seventy-eight (278) of the code, (C. C. 691Q), relating to the salary of judges of superior courts, and to enact a substitute therefor, also to amend section two hundred sixty-two (262) of the code (C. C. 6907) relating to powers of judges of superior courts.

Read first and second times and referred to sifting committee.

House File No. 811, a bill for an act to legalize an election held in the city of Oskaloosa, Iowa, and the issuance and sale of bonds by said city pursuant thereto.

Read first and second times.

House File No. 568, a bill for an act creating city and county boards of public welfare for the supervision and regulation of theatres, public dance halls, road-houses and other places of public amusement or recreation, and providing how appointed and defining their powers.

Read first and second times and referred to sifting committee.

House File No. 352, a bill for an act to provide for the training of teachers for the elementary schools in private colleges, under the direction of the state board of education, and making an appropriation therefor.

Read first and second times and on motion of Senator Caldwell substituted for Senate File No. 330.

On motion of Senator Mantz Senate File No. 451 was made a special order for Tuesday April 10th, at 10:30 a. m.

THIRD READING OF BILLS

On motion of Senator Caldwell House File No. 811, a bill for an act to legalize an election held in the city of Oskaloosa, Iowa, and the issuance and sale of bonds by said city pursuant thereto, was taken up and considered.

The bill was read for information.

Senator Caldwell 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.

Abben	Dutcher	Johnston	Shinn
Baird	Ethell	Mantz	Slosson
Banta	Fulton	Nelson	Smith
Bergman	Gilchrist	Newberry	Snook
Brookhart	Goodwin	Perkins	Stoddard
Brookins	Hale	Reed	Thurston
Browne	Hartman	Rees	Tuck
Buser	Haskell	Romkey	Wichman
Caldwell	Holdoegel	Shaff	
Campbell	Horchem	Shane	

Nays, none.

Absent or not voting, 11.

Adams	Darting	Mead	Scott
Bowman	Kimberly	Olson	White
Cessna	McIntosh	Price	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Gilchrist, House File No. 668, a bill for an act to provide for storage of grain in state-licensed warehouses and under state supervision, and the issuance of storage certificates therefor, and providing penalties for offenses thereunder, having been substituted for Senate File No. 598, was taken up and considered.

Senator Gilchrist moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 44.

Abben	Campbell	Johnston	Scott
Adams	Cessna	Kimberly	Shane
Baird	Darting	Mantz	Shinn
Banta	Ethell	Mead	Slosson
Bergman	Fulton	Nelson	Smith
Bowman	Gilchrist	Newberry	Snook
Brookhart	Goodwin	Olson	Stoddard
Brookins	Hale	Price	Thurston
Browne	Haskell	Reed	Tuck
Buser	Holdoegel	Rees	White
Caldwell	Horchem	Romkey	Wichman

Nays, none.

Absent or not voting, 5.

Dutcher
Hartman

McIntosh

Perkins

Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent Senator Gilchrist withdrew Senate File No. 598 from further consideration.

On motion of Senator White, House File No. 402, a bill for an act to define a misdemeanor committed by any person masked or in disguise who shall prowl, travel, ride or walk within this state to the disturbance of the peace and to the intimidation of any person, and to provide a punishment therefor, and to define assault with intent to commit a felony committed by any person masked or in disguise and to provide a punishment therefor and to define assault with dangerous weapon by a person while masked or in disguise, and to provide a punishment therefor, was substituted for Senate File No. 390, taken up and considered.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

Senator White invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Abben	Cessna	Johnston	Shane
Adams	Darting	Mantz	Slosson
Baird	Ethell	Mead	Smith
Banta	Fulton	Nelson	Snook
Bergman	Gilchrist	Newberry	Stoddard
Bowman	Goodwin	Olson	Thurston
Brookins	Hale	Perkins	Tuck
Browne	Hartman	Reed	White
Buser	Haskell	Rees	Wichman
Caldwell	Holdoegel	Romkey	
Campbell	Horchem	Scott	

Nays, 2.

Brookhart Shinn

Absent or not voting, 5.

Dutcher
Kimberly

McIntosh

Price

Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent Senator White withdrew Senate File No. 390 from further consideration.

Senator W. Schmedika appeared at the desk and was duly sworn in as Senator to represent the 37th district, comprising the counties of Hamilton, Hardin and Wright.

Senator Schmedika was assigned to seat No. 15.

Senator Schmedika was appointed to membership on the following committees: drainage, agriculture, appropriations, dairy and food, highways, public utilities, cities and towns, labor, claims, public library.

THIRD READING OF BILLS

On motion of Senator Johnston House File No. 366, a bill for an act to require mine inspectors to post notice of conditions found in any mine where inspected in the performance of their duty, and to provide a penalty for the destruction thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Darting 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. The mine inspectors after each inspection shall make a report on the day of such inspection showing the conditions found in any mine, together with any requests or orders made for changes or repairs.

Such report shall be forwarded at once to the general office of the mine inspectors at the capitol and shall be there filed for public examination and information."

The amendment was lost.

Senator Johnston moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Johnston invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Abben
Adams
Baird
Bergman

Bowman
Brookhart
Brookins
Browne

Buser
Campbell
Cessna
Ethell

Gilchrist
Goodwin
Hale
Hartman

Haskell	Nelson	Schmedika	Snook
Holdoegel	Newberry	Scott	Stoddard
Horchem	Olson	Shaff	Thurston
Johnston	Perkins	Shane	Tuck
Kimberly	Price	Shinn	White
Mantz	Romkey	Slosson	Wichman

Nays, 2.

Darting Reed

Absent or not voting, 8.

Banta	Dutcher	McIntosh	Rees
Caldwell	Fulton	Mead	Smith

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Johnston moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Mantz, Senate File No. 654, a bill for an act to amend section twenty-seven hundred thirty-four-h (2734-h), supplement to the code, 1913, (C. C. 2486), relating to the issuance of second grade certificates, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Mantz the words "uniform county" were inserted in line 5 after the word "grade."

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by inserting after the word "education" in line 9 the words "and who presents a showing that the applicant has earned satisfactory grades in such studies in the college".

The amendment was adopted.

Senator Ethell offered the following amendment and moved its adoption:

Amend by striking out of line 9 the words: "and said certificates shall not be renewable".

The amendment was adopted.

The bill was read for information.

Senator Mantz moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Campbell	Kimberly	Romkey
Adams	Ethell	Mantz	Scott
Baird	Gilchrist	Mead	Shaff
Banta	Goodwin	Nelson	Shane
Bergman	Hale	Newberry	Slosson
Bowman	Hartman	Olson	Snook
Brookhart	Haskell	Perkins	Stoddard
Brookins	Holdoegel	Reed	Thurston
Buser	Horchem	Rees	Tuck
			Wichman

Nays, 5.

Browne	Price	Shinn	Schmedika
Johnston			

Absent or not voting, 8.

Caldwell	Darting	Fulton	Smith
Cessna	Dutcher	McIntosh	White

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Mantz moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Shane, House File No. 421, a bill for an act to amend section twenty-seven hundred seventy-three (2773) as amended by chapter 160, acts of the 38th General Assembly (C. C. sec. 2639) relating to the conditions under which certain school corporations may charge tuition, 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 "may" as it occurs in line eleven (11) of section 1, and inserting in lieu thereof the word "shall", and by adding the following section:

"Sec. 2. This act shall not apply to any school corporation of less than twenty thousand (20,000) population nor to one having within its boundaries an institution of learning of a higher order than that of an approved four year high school course."

Senator Shane offered the following amendment and moved its adoption:

Amend by striking the word "may" from line 8 of section 1 and inserting in lieu thereof the word "shall".

The amendment was adopted.

Senator Shane offered the following amendment and moved its adoption:

Amend by striking from line 3 of section 2 the word "an" and inserting in lieu thereof the words "any other".

The amendment was adopted.

Senator Tuck offered the following amendment and moved its adoption:

Amend by inserting in the title after the figures "(2773)" the words and figures "supplement to the code, 1913,".

Also by inserting in line 2 after the figures "(2773)" the words and figures "supplement to the code, 1913,".

The amendment was adopted.

The bill was read for information.

Senator Shane moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Campbell	Mead	Shaff
Adams	Cessna	Nelson	Shane
Banta	Gilchrist	Newberry	Shinn
Bergman	Goodwin	Olson	Slosson
Bowman	Hale	Reed	Snook
Brookins	Hartman	Rees	Stoddard
Browne	Horchem	Romkey	Thurston
Buser	Kimberly	Schmedika	White
Caldwell	Mantz	Scott	Wichman

Nays, 5.

Baird	Johnston	Price	Smith
Brookhart			

Absent or not voting, 9.

Darting	Fulton	Holdoegel	Perkins
Dutcher	Haskell	McIntosh	Tuck
Ethell			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Shane moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Shinn Senate File No. 526 was ordered to the foot of the calendar.

On motion of Senator Slosson Senate File No. 620, a bill for an act amending the law as it appears in section 23, chapter 275, acts of the 38th General Assembly, relating to the licensing and regulation of motor vehicles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Slosson moved that 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	Gilchrist	Mead	Shane
Baird	Goodwin	Nelson	Shinn
Banta	Hale	Newberry	Slosson
Bergman	Hartman	Olson	Snook
Brookins	Haskell	Price	Stoddard
Buser	Holdoegel	Rees	Thurston
Campbell	Horchem	Romkey	Tuck
Cessna	Johnston	Schmedika	White
Ethell	Kimberly	Scott	Wichman
Fulton	Mantz	Shaff	

Nays, 3.

Abben	Bowman	Browne
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Absent or not voting, 8.

Brookhart	Darting	McIntosh	Reed
Caldwell	Dutcher	Perkins	Smith

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Olson, House File No. 299, a bill for an act to provide for the letting of contracts by the state board of education, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Olson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Fulton	Nelson	Slosson
Adams	Goodwin	Newberry	Snook
Baird	Hartman	Olson	Stoddard
Banta	Haskell	Rees	Thurston
Bergman	Holdoegel	Romkey	Tuck
Brookins	Horchem	Schmedika	White
Buser	Johnston	Scott	Wichman
Campbell	Kimberly	Shaff	
Cessna	Mantz	Shane	
Ethell	Mead	Shinn	

Nays, none.

Absent or not voting, 14.

Bowman	Darting	Hale	Price
Brookhart	Dutcher	McIntosh	Reed
Browne	Gilchrist	Perkins	Smith
Caldwell			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Cessna Senate File No. 297, a bill for an act to repeal section eleven (11), chapter two hundred eighty-seven (287) acts of the Thirty-eighth General Assembly, (C. C. 1742), and to amend section one (1) chapter one hundred ninety-four (194), acts of the Thirty-ninth General Assembly S. C. C. 1742-a1), relating to the quarantine and disposition of animals affected 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 out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. That chapter one hundred ninety-four (194) acts of the Thirty-ninth General Assembly be and the same is hereby amended as follows:

"By striking out of line seven (7) the words and figures 'ninety (90)' and inserting in lieu thereof the words and figures 'thirty (30)'."

And to amend the title by striking out the present title and inserting in lieu thereof the following: "An act to amend chapter one hundred ninety-four (194) acts of the Thirty-ninth General Assembly relating to the time when an infected animal may be retained by the owner, and after which no indemnity may be claimed."

Senator Campbell offered the following amendment to the committee amendment and moved its adoption:

Amend by striking the word and figures "thirty (30)" from the last line and inserting in lieu thereof the word and figures "sixty (60)".

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 27.

Abben	Hale	Newberry	Slosson
Adams	Haskell	Perkins	Snook
Baird	Horchem	Reed	Stoddard
Bergman	Kimberly	Rees	Thurston
Campbell	Mantz	Schmedika	White
Darting	Mead	Scott	Wichman
Gilchrist	Nelson	Shaff	

Nays, 15.

Bowman	Cessna	Johnston	Shane
Brookins	Ethell	Olson	Shinn
Browne	Fulton	Price	Tuck
Buser	Goodwin	Romkey	

Absent or not voting, 8.

Banta	Caldwell	Hartman	McIntosh
Brookhart	Dutcher	Holdoege	Smith

The amendment to the amendment was adopted.

Senator Price moved the previous question, which motion prevailed, and the previous question was ordered.

The bill was read for information.

Senator Cessna moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 17.

Adams	Darting	Price	Stoddard
Brookins	Holdoege	Schmedika	Thurston
Buser	Mantz	Shinn	Tuck
Campbell	Newberry	Snook	White
			Wichman

Nays, 24.

Abben	Browne	Haskell	Perkins
Baird	Caldwell	Horchem	Romkey
Banta	Cessna	Kimberly	Scott
Bergman	Ethell	Mead	Shaff
Bowman	Fulton	Nelson	Shane
Brookhart	Goodwin	Olson	Slosson

Absent or not voting, 9.

Dutcher	Hartman	McIntosh	Rees
Gilchrist	Johnston	Reed	Smith
Hale			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Slosson, Senate File No. 701, a bill for an act to amend section fifty-five hundred seventy-three (5573) of the code of 1897 (C. C. section 8054) relating to the disposition of stolen, embezzled or abandoned motor vehicles not claimed by the owner thereof, a committee bill, was taken up and considered.

The bill was read for information.

Senator Slosson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Campbell	Mantz	Scott
Adams	Darting	Mead	Shaff
Baird	Dutscher	Nelson	Shane
Banta	Ethell	Newberry	Shinn
Bergman	Fulton	Olson	Slosson
Bowman	Gilchrist	Perkins	Snook
Brookhart	Hale	Reed	Thurston
Brookins	Horchem	Rees	Tuck
Buser	Johnston	Schmedika	
Caldwell	Kimberly		

Nays, 2.

Goodwin Price

Absent or not voting, 11.

Browne	Haskell	Romkey	White
Cassna	Holdoegel	Smith	Wichman
Hartman	McIntosh	Stoddard	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Abben, Senate File No. 700, a bill for an act to provide for physical education and training in health in public schools of this state, a committee bill, was taken up and considered.

Senator Horchem offered the following amendment and moved its adoption:

Amend by striking out the period at the end of section 3, and by inserting in lieu thereof a comma and adding the following: "providing that such regulations as established by the state superintendent of public instruction be not retroactive in their effect and shall not have power to revoke special certificate granted to physical training teachers who have carried on their work successfully under such certificates."

The amendment was lost.

Senator Thurston offered the following amendment and moved its adoption:

Amend by striking out section 3 and renumbering section 4 as section 3.

Senator Abben invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 24.

Baird	Darting	Mead	Shane
Bergman	Ethell	Nelson	Shinn
Brookhart	Fulton	Price	Slosson
Browne	Hartman	Reed	Snook
Buser	Johnston	Romkey	Thurston
Cessna	Kimberly	Schmedika	Tuck

Nays, 23.

Abben	Dutcher	Horchem	Scott
Adams	Gilchrist	Mantz	Shaff
Banta	Goodwin	Newberry	Stoddard
Bowman	Hale	Olson	White
Brookins	Haskell	Perkins	Wichman
Caldwell	Holdoegel	Rees	

Absent or not voting, 3.

Campbell	McIntosh	Smith
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The amendment was adopted.

The bill was read for information.

Senator Abben moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Darting	Horchem	Scott
Baird	Dutcher	Kimberly	Shaff
Banta	Fulton	Mantz	Shane
Bergman	Gilchrist	Mead	Slosson
Bowman	Goodwin	Newberry	Snook
Brookhart	Hale	Olson	Stoddard
Brookins	Hartman	Perkins	Thurston
Caldwell	Haskell	Reed	White
Cessna	Holdoegel	Romkey	Wichman

Nays, 2.

Johnston	Tuck
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Absent or not voting, 12.

Adams	Campbell	Nelson	Schmedika
Browne	Ethell	Price	Shinn
Buser	McIntosh	Rees	Smith

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Abben moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Bowman, House File No. 427, a bill for an act requiring counties to give preference to certain roads in establishing the primary road system of the county, with report of committee recommending passage, was taken up and considered.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out the period at the end of section one and adding the word "villages".

The amendment was adopted.

The bill was read for information.

Senator Price moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Abben	Campbell	Horchem	Schmedlka
Adams	Dutcher	Johnston	Scott
Baird	Ethell	Mantz	Shane
Bergman	Fulton	Nelson	Slosson
Bowman	Gilchrist	Newberry	Snook
Brookhart	Goodwin	Olson	Stoddard
Brookins	Hale	Perkins	Thurston
Browne	Hartman	Price	Tuck
Buser	Haskell	Reed	White
Caldwell	Holdoegel	Rees	Wichman

Nays, none.

Absent or not voting, 10.

Banta	Kimberly	Romkey	Smith
Cessna	McIntosh	Shaff	
Darting	Mead	Shinn	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONCURRENT RESOLUTION

Senator Goodwin offered the following resolution:

Resolved by the Senate, the House concurring, That an invitation be extended to Hon. Albert B. Cummins, senior senator from Iowa, to address

the members of the Fortieth General Assembly in joint convention on a day and hour suited to the convenience of Senator Cummins.

On motion of Senator Goodwin the rules were suspended, the resolution was taken up and considered.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 38.

Abben	Dutcher	Kimberly	Shinn
Adams	Ethell	Mantz	Slosson
Baird	Gilchrist	Mead	Snook
Banta	Goodwin	Newberry	Stoddard
Bergman	Hale	Perkins	Thurston
Bowman	Hartman	Reed	Tuck
Brookhart	Haskell	Rees	White
Brookins	Holdoege	Schmedika	Wichman
Caldwell	Horchem	Scott	
Campbell	Johnston	Shane	

Nays, none.

Absent or not voting, 12.

Browne	Darting	Nelson	Romkey
Buser	Fulton	Olson	Shaff
Cessna	McIntosh	Price	Smith

The resolution was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files Nos. 292 and 537.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

COMMUNICATION FROM GOVERNOR KENDALL

To the Senate and House of Representatives of the Fortieth General Assembly:

I regret profoundly to be compelled to announce the passing of Honorable Horace Boies, which occurred on the 3rd instant at his home in California.

Governor Boies was born in New York in 1827, located in Iowa in 1867, was elected Chief Executive in 1889 and again in 1891, and at his death had attained unusual length of years. He was a great lawyer, a great Governor, a great man. His long and eventful life was rich

in unselfish service to his fellowmen, and he came to twilight and evening star with "honor, love, obedience, troops of friends to accompany his old age."

As an evidence of the universal respect which the people of the state cherish for his memory, I have directed that on the day of his funeral the flag on the Capitol Building be displayed at half-staff, and I recommend that suitable cognizance of the sad event be taken by the General Assembly. Respectfully submitted,

N. E. KENDALL.

The Journal of April 4th was corrected and approved.

On motion of Senator Brookhart the Senate adjourned until 9 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA. April 6, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. J. T. Pierce, pastor of the Methodist church of Britt, Iowa.

On motion of Senator Brookhart rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

Senator Price presented petitions from miners and wives of miners of Albia, Lovilia and Avery, endorsing House File No. 395 relative to wash houses at mines.

Senator Ethell presented petitions from miners and wives of Numa endorsing House File No. 395.

Senator Holdoegel presented petitions from miners and miners' wives of Coalville and Kato endorsing House File No. 395.

All were referred to committee on mines and mining.

On motion of Senator Fulton Senate File No. 410 was made a special order for Tuesday, April 10th, at 10:45 a. m.

THIRD READING OF BILLS

On motion of Senator Brookins, House File No. 629, a bill for an act relating to the pollution of the waters of any stream, waterway or lake of this state, providing penalties for violation thereof, and providing for the issuance of a writ of injunction to prohibit the same, having been substituted for Senate File No. 543 was taken up and considered.

Senator Brookins offered the following amendment and moved its adoption:

Amend by striking therefrom all of section 5.

Senator Brookins invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 26.

Bowman	Hale	Price	Smith
Brookhart	Johnston	Reed	Snook
Brookins	Kimberly	Rees	Tuck
Browne	McIntosh	Romkey	White
Buser	Mead	Schmedika	Wichman
Caldwell	Nelson	Shinn	
Fulton	Olson	Slosson	

Nays, 18.

Abben	Dutcher	Holdoegel	Scott
Baird	Ethell	Horchem	Shane
Banta	Gilchrist	Mantz	Stoddard
Campbell	Goodwin	Newberry	
Cessna	Hartman	Perkins	

Absent or not voting, 6.

Adams	Darting	Shaff	Thurston
Bergman	Haskell		

The amendment was adopted.

Senator Bowman offered the following amendment and moved its adoption:

Amend by striking out all after the comma (,) following the word "vicinity" in line 20 up to and including the word "life" in line 21.

The amendment was lost.

The bill was read for information.

Senator Brookins moved that the reading just had be considered the third reading, which motion prevailed.

On the motion "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Dutcher	Kimberly	Romkey
Adams	Fulton	Mantz	Schmedika
Baird	Gilchrist	Mead	Scott
Banta	Hale	Nelson	Smith
Brookhart	Hartman	Newberry	Snook
Brookins	Haskell	Olson	Tuck
Browne	Holdoegel	Price	White
Buser	Horchem	Reed	Wichman
Caldwell	Johnston	Rees	

Nays, 3.

Bowman	Campbell	Stoddard
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Absent or not voting, 12.

Bergman	Ethell	Perkins	Shinn
Cessna	Goodwin	Shaff	Slosson
Darting	McIntosh	Shane	Thurston

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Price moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Mead, Senate File No. 514; a bill for an act to amend chapter two hundred seventy-five (275), acts of the Thirty-eighth General Assembly, relating to the licensing and regulation of motor vehicles, was taken up and considered, the committee having reported it back without recommendation.

Senator Mead offered the following amendment and moved its adoption:

Amend by striking out the word "on" in line 20 of section 2 and inserting in lieu thereof the word "to". Also amend by striking out the period after the word "plate" in line 21 of section 2 and adding the words "in indenture of like size and shape".

The amendment was adopted.

The bill was read for information.

Senator Mead moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Abben	Dutcher	McIntosh	Schmedika
Adams	Ethell	Mantz	Shane
Baird	Fulton	Mead	Shinn
Banta	Gilchrist	Nelson	Slosson
Bowman	Goodwin	Newberry	Smith
Brookhart	Hale	Olson	Snook
Browne	Hartman	Perkins	Tuck
Caldwell	Haskell	Price	Wickman
Campbell	Horchem	Reed	
Cessna	Johnston	Rees	
Darting	Kimberly	Romkey	

Nays, 1.

White

Absent or not voting, 8.

Bergman	Buser	Scott	Thurston
Brookins	Holdoegel	Shaff	Stoddard

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Wichman, Senate File No. 361, a bill for

an act providing for the supervision and regulation of persons either natural or artificial engaged in the transportation of persons or property for hire over the public highways of the state by motor vehicles and conferring certain jurisdiction over such persons and such vehicles upon the board of railroad commissioners of the state; also providing for the enforcement of this act and for the punishment of violation thereof, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend by striking out sub-section (b) of section one (1) and substituting the following:

(b) The term "motor carrier" when used in this act means any person, firm or corporation, lessee, trustee or receiver, operating any motor vehicles with or without trailers attached, upon any public highway for the transportation of passengers or property for compensation, between fixed termini or over a regular route even though there may be periodic or irregular departures from said termini or route, or for delivering oils, goods or merchandise in the vicinity of a distributing point except such motor carriers operating solely within the limits of a municipality.

Senator Newberry offered the following amendment to the committee amendment and moved its adoption:

Amend by adding to sub-section (b) of section 1 the following: "Nothing in this act shall be construed as affecting the operation of school busses, which are used in conveying school children to or from consolidated or other schools."

The amendment to the amendment was adopted.

Senator Mantz offered the following amendment to the committee amendment and moved its adoption:

Amend by adding to sub-section (b) of section 1 the following: "This act shall not apply to motor trucks operated by manufacturers, jobbers, retailers, and distributors in delivering and distributing their own products."

Senator Mantz's amendment to the amendment was lost.

Senator Buser offered the following amendment to the committee amendment and moved its adoption:

Amend sub-section (b) of section 1 by inserting after the word "merchandise" in line 7 the following: "other than farm products".

The amendment to the amendment was adopted.

The following committee amendment was considered:

Amend by striking out section two (2) and inserting the following in lieu thereof:

Sec. 2. The board of railroad commissioners of the state of Iowa is hereby vested with power and authority to regulate every motor carrier, as defined in this act, in this state; and the commission shall also have power and authority by general order or otherwise to prescribe rules and regulations applicable to any and all motor carriers.

Senator Wichman offered the following amendment to the committee amendment and moved its adoption:

Amend by adding at the end of section 2 the following:

"All control, power and authority over railroads and railroad companies now vested in the railroad commission, insofar as the same is applicable, is hereby specifically extended to include motor carriers, excepting that they shall have no power to fix or regulate rates other than the maximum rate."

The amendment to the amendment was adopted.

The following committee amendments were considered:

Amend sec. 4 by striking out of line four (4) thereof the following "declaring public convenience and necessity require" and inserting in lieu thereof the word "authorizing".

Also amend by striking out of line eight (8) the following "and is necessary thereto".

Also amend by inserting after the word "public" at the end of line twelve (12) the word "safety", also by inserting a "comma" (,) after the word "safety".

Also amend by striking out the word "alter" as it appears in line fourteen (14) and inserting in lieu thereof the word "modify".

Amend sec. 5 by striking out the words "Polk County, Iowa," as it appears in line three (3) thereof and inserting in lieu thereof the following "any county in Iowa in which any portion of the route over which they are authorized to operate is located".

Also amend by striking out the word "five" as it appears at the end of line eight (8) and inserting in lieu thereof the word "one".

Senator Wichman offered the following amendment to the committee amendment and moved its adoption:

Amend by adding the following to section 5: "The appeal shall be tried in equity and submitted upon the transcript of the evidence and the record made before the commission, and the district court shall either affirm or reverse the order of the commission. An appeal may be taken from the judgment of the district court to the supreme court, as from other judgments."

Senator Price offered the following amendment to Senator Wichman's amendment:

Amend by inserting the word "modify" after the word "affirm".

The amendment was adopted.

The amendment to the committee amendment was adopted.

The following committee amendments were considered:

Amend by striking out section six (6) and inserting the following in lieu thereof:

Sec. 6. No certificate of authorization issued under the provisions of this act shall be sold, transferred, leased or assigned nor shall any contract or agreement with reference to or affecting any such certificate be made except with the written approval of the board. Nor shall any person, natural or artificial be permitted to take over any such certificate unless he or it shall assume all the obligations imposed upon an original applicant.

Amend by striking out section seven (7) and inserting the following in lieu thereof:

Sec. 7. No motor carrier shall be permitted to operate a vehicle, equipped with solid rubber tires which together with its maximum load, weighs more than sixteen thousand pounds or one equipped with pneumatic tires which together with its maximum load, over twenty thousand pounds over the public highways of this state.

Amend by striking out section eight (8) and inserting the following in lieu thereof:

Sec. 8. Cities and towns, including cities under special charter, shall have power, by ordinance, to adopt general rules of operation and to designate the streets or routes over which motor carriers shall travel provided however, that the exercise of the power granted in this section shall be reasonable and fair.

Amend section 10 by striking out the words "convenience and necessity" as it appears in line one (1) thereof and inserting in lieu thereof the word "authorization".

Senator White offered the following amendment to the committee amendment and moved its adoption:

Amend Senate File No. 361 by adding to section 8 thereof the following:

Nothing in this act shall be construed as repealing section 754-a, supplemental supplement to the code, 1915, nor chapter 115, acts of the Thirty-ninth General Assembly, or as taking from cities and towns, including cities under the commission form of government and cities under special charter, any of the powers they now possess over the classes of vehicles for hire herein described. Motor vehicles operating or proposing to operate, between cities and towns, the corporate limits of which are not to exceed one mile apart shall be considered as coming within the purview of the acts described in this section.

Senator Price offered the following amendment to the amendment and moved its adoption:

Amend by adding to Senator White's amendment the following:

"Nothing in this act shall be construed as conferring on the board of railroad commissioners the right to regulate any motor vehicle used in the business of transporting live stock or other farm products from the place of production to market."

The amendment to the amendment was adopted.

The amendment to the committee amendment was adopted.

COMMITTEE FROM THE HOUSE

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 the direction of the sergeant-at-arms.

JOINT SESSION

As per concurrent resolution duly adopted, the joint session was called to order, Lieutenant-Governor John Hammill, President of the Senate, presiding.

The President announced a quorum present and the joint convention duly organized.

Senator Mantz moved that a committee of three be appointed, one from the Senate and two from the House, to notify Governor Kendall, United States Senator-elect W. N. Ferris of Michigan, and Mrs. Maud Wood Park, president of the National League of Women Voters, that the joint session was ready to receive them.

Motion prevailed and the President appointed as such committee, Senator Mantz of Audubon, and Representatives Sampson of Audubon, and Knutson of Cerro Gordo.

The committee appointed to notify Governor Kendall, Hon. W. N. Ferris and Mrs. Maud Wood Park that the joint convention was ready to receive them, returned, accompanied by the visiting guests.

Hon. John Hammill then introduced Mrs. Maud Wood Park, president of the National League of Women Voters, who briefly addressed the joint convention.

Hon. W. N. Ferris, United States senator-elect from Michigan, was then introduced by Hon. John Hammill and briefly addressed the joint convention.

Parsons of Calhoun moved that the joint convention be now dissolved. Motion prevailed.

The Senate returned to the Senate chamber.

On motion of Senator Horchem the Senate adjourned until 1:30.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Haskell indefinitely on request of Senator Hale on account of illness.

INTRODUCTION OF BILLS

Senate File No. 733, by committee on judiciary No. 2, a bill for an act to authorize school corporations in which the school house has been or shall be destroyed by fire prior to September 1, 1923, to call a special meeting to vote on the question of issuing bonds to construct and equip a school house by giving one week's notice by posting and by publication in one newspaper, also the notice for sale of bonds in certain cases.

Read first and second times and placed on the calendar.

Senate File No. 734, by committee on railroads, a bill for an act providing for the construction and maintenance of signs on the public highways at railroad crossings, such signs to be erected and maintained under rules and regulations prescribed by the board of railroad commissioners.

Read first and second times and placed on the calendar.

Senate File No. 735, by committee on railroads, a bill for an act to repeal section twenty-one hundred twenty-six (2126), supplement to the code, 1913, (C. C. 5177) and to enact a substitute therefor relating to the powers and duties of the board of railroad commissioners and regulation of carriers.

Read first and second times and placed on the calendar.

Senate File No. 736, by committee on land titles, a bill for an act providing for the appointment by the Governor of a commission on land titles, to serve without compensation, except actual necessary traveling expenses, and defining its duties.

Read first and second times and placed on the calendar.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 361.

Senator Mantz offered the following amendment to the committee amendment and moved its adoption:

Amend by adding to sub-section (b) of section 1 the following: "This act shall not apply to retailers delivering their own products, nor to owners or occupants of realty in delivering products or materials from and to said realty, provided that the motor trucks so used do not exceed a rated 2-ton capacity".

The amendment was lost.

The committee amendments, except to section 9, were adopted.

The following committee amendments were considered:

Amend by striking out section nine (9) and inserting the following in lieu thereof:

Sec. 9. In addition to the regular license fees or taxes imposed by the law relating to motor vehicles and motor trucks, every motor carrier shall pay each year of operation or portion thereof compiled from January first the following fees or taxes for the maintenance and the upkeep of the public highways:

For passenger vehicles.

Up to and including seven seat capacity, exclusive of driver, five dollars (\$5.00) per seat for each seat capacity.

From seven up to and including fifteen seat capacity, exclusive of driver, seven dollars and fifty cents (\$7.50) for each seat capacity.

For all over fifteen seat capacity, exclusive of driver, ten dollars (\$10.00) per seat capacity.

For freight vehicles with pneumatic tires.

Up to three tons rated capacity, one dollar for each one hundred pounds of gross weight of vehicles and rated capacity.

Over three tons rated capacity, one dollar and fifty cents (\$1.50) for each one hundred pounds of gross weight of vehicle and rated capacity.

For freight vehicles with solid rubber tires.

Up to three tons rated capacity, one dollar and fifty cents (\$1.50) for each one hundred pounds of gross weight of vehicle and rated capacity.

Over three tons rated capacity, two dollars (\$2.00) for each one hundred pounds of gross weight of vehicle and rated capacity.

All fees or taxes herein provided shall be paid to the secretary of state quarterly in advance, on or before the first day of January, April, July and October.

By unanimous consent on request of Senator Buser the word "compiled" was stricken from line 3 of section 9 of the committee amendment and the word "computed" was inserted in lieu thereof.

Senator Buser invoked rule 8.

On the question "Shall the committee amendments to section 9 be adopted?" the vote was:

Ayes, 17.

Baird	Caldwell	Nelson	Slosson
Brookhart	Campbell	Olson	Thurston
Brookins	Cessna	Rees	
Browne	Hartman	Scott	
Buser	Mead	Shane	

Nays, 32.

Abben	Fulton	McIntosh	Shaff
Adams	Gilchrist	Mantz	Shinn
Banta	Goodwin	Newberry	Smith
Bergman	Hale	Perkins	Snook
Bowman	Holdoegel	Price	Stoddard
Darting	Horchem	Reed	Tuck
Dutcher	Johnston	Romkey	White
Ethell	Kimberly	Schmedika	Wichman

Absent or not voting, 1.

Haskell

The amendments were lost.

Senator Buser offered the following amendment and moved its adoption:

Amend by inserting after the word "of" in line 7 of sub-section (b) of section 1 the words "and from".

The amendment was adopted.

Senator Cessna offered the following amendment and moved its adoption:

Amend by striking out the words "board of railroad commissioners" also "commission" and "commissioners" wherever they appear in the bill and inserting in lieu thereof the words "secretary of state".

The amendment was lost.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by adding to section 4 the following: "The hearing shall be

held in one of the counties in which the service is proposed to be rendered to be selected by the applicant."

The amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by striking out all of sub-section (e) of section 11.

The amendment was lost.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out of lines 3 and 4 of section 9 the following: "the following taxes for the maintenance and the upkeep of the public highways" and inserting in lieu thereof the following: "into the state treasury the following taxes".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 26.

Adams	Cessna	Holdoegel	Shinn
Bergman	Ethell	Johnston	Schmedika
Brookhart	Fulton	McIntosh	Stoddard
Browne	Gilchrist	Mead	Thurston
Buser	Goodwin	Nelson	Tuck
Caldwell	Hale	Price	
Campbell	Hartman	Romkey	

Nays, 19.

Abben	Horchem	Perkins	Slosson
Baird	Kimberly	Reed	Snook
Banta	Mantz	Scott	White
Bowman	Newberry	Shaff	Wichman
Dutcher	Olson	Shane	

Absent or not voting, 5.

Brookins	Haskell	Rees	Smith
Darting			

The amendment was adopted.

Senator Newberry offered the following amendment and moved its adoption:

Amend by striking out the words and figures "one-half cent ($\frac{1}{2}c$)" from line 5 of section 9 and inserting in lieu thereof the words and figures "three-tenths cent ($\frac{3}{10}c$)".

Also amend by striking out the words and figures "three-fourths cent ($\frac{3}{4}c$)" in lines 7 and 8 of section 9 and inserting in lieu thereof the words and figures "one-half cent ($\frac{1}{2}c$)".

The amendment was adopted.

Senator Price offered the following amendment and moved its adoption:

Amend by inserting in sub-section (e) of section 11 at the end of line 35 the following: "But in no event or for any purpose shall the negligence of the carrier or his servant or employee, be chargeable or imputed to any passenger."

The amendment was adopted.

Senator Brookins offered the following amendment and moved its adoption:

Amend by striking the period at the end of line 11 of section 10 and by adding " , provided, however, that nothing herein shall be construed to preclude the motor carrier from such defenses as he may have at common law."

Senator Wichman offered the following amendment as a substitute for Senator Brookins' amendment.

Amend by striking the period at the end of line 11 of section 10 and by adding " , and for which they would be legally liable."

Senator Brookins withdrew his amendment.

Senator Wichman's amendment was adopted.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out of section 9 in lines 49 to 51 inclusive the words "the various county treasurers in the counties through or in which any motor carrier is operating."

Also by striking out of lines 57, 58 and 69 of section 9 the word "county" and inserting in lieu thereof the word "state".

Also by striking out all of lines 72 to 79 inclusive of section 9.

The amendment was lost.

Senator Thurston offered the following amendment and moved its adoption:

Amend by striking out the period after the last word in sub-section (e) in section 11; also by adding "provided, however, that the rule of comparative negligence shall apply as between the carrier and the driver or the property under his care, without in any manner affecting the rights of the passenger."

The amendment was adopted.

By unanimous consent on request of Senator Price the vote by which the amendment offered by him striking lines 3 and 4 of section 9 was adopted was reconsidered.

The amendment was now lost.

Senator Buser offered the following amendment and moved its adoption:

Amend by adding to sub-section (b) of section 1 the following as an additional paragraph:

"Provided that the provisions of this section shall not be so construed as to apply to resident retail merchants who deliver goods and merchandise, other than oils or oil products in quantities of five gallons or more, in pursuance of bona fide sales to residents outside the limits of cities and towns and special charter cities."

The amendment was adopted.

Senator Wichman offered the following amendment and moved its adoption:

Amend by striking out the words "all of" in line 62 of section 9 and by inserting in line 63 after the word "carrier" the words "used in said business,"

The amendment was adopted.

Senator Scott moved that further action be deferred until 1:30 p. m. Monday, April 9th, and that the bill be printed, as amended, as a bill, which motion prevailed.

On motion of Senator Newberry the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call the Senate confirmed the appointment of the following as members of the state board of education: Geo. T. Baker, Williard C. Stuckslager and Anna B. Lawther.

Senate arose from executive session and resumed regular session.

Senator Shane called up for consideration the following motion:

That for the remainder of the session the author of a Senate bill or the sponsor of a House bill, have five minutes in opening the debate and ten minutes in closing and all others have not exceeding five minutes each, and as above excepted, no Senator speak more than once on the same bill.

Senator Price offered the following amendment and moved its adoption:

Amend by adding "except that the same shall not apply to special orders Nos. 19, 20 and 21.

The amendment was adopted.

The motion carried.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned members of the Senate, demand

a call of the Senate on Senate File No. 625 and ask that Senator Haskell be excused from this call.

ED. M. SMITH

O. L. MEAD

C. W. REED

B. W. NEWBERRY

GEO. S. BANTA

CHAS. OLSON

H. J. MANTZ

R. P. SCOTT

G. S. HARTMAN

GEO. B. PERKINS

C. J. FULTON

W. S. BAIRD

B. J. HORCHEM

J. M. SLOSSON

P. C. HOLDOEGEL

A. H. BERGMAN

On motion of Senator Smith Senator Haskell was excused from the above call of the Senate.

THIRD READING OF BILLS

On motion of Senator Smith, Senate File No. 625, a bill for an act relating to the assessment of property for taxation; providing for a state board of assessment and review, defining its powers and duties; providing for a county assessor, defining his powers and duties; providing for the repeal of section 1305 of the supplement to the code, 1913, and to provide a substitute therefor, and providing for violation of the provisions thereof, a committee bill, was taken up and considered.

The following committee amendments were adopted:

Amend Senate File No. 625 as follows:

By striking from line two (2) of title the word "the" and by inserting in lieu thereof the word "its";

Also by striking from line six (6) paragraph 1 (1) section 14, the words "boards of supervisors";

Also by striking from line six (6) paragraph 1, section 14 the comma (,) following the word "review";

Also by striking out paragraph two (2) section 14, and by inserting in lieu thereof the following:

"To prepare on or before February first of each year forms to be used in the listing and assessing of property. It shall also from time to time prepare all other forms and prepare and furnish all memoranda or instructions which it deems necessary or expedient for the use or guidance of any of the officers over whom it is authorized by law to exercise supervision."

Also by striking from lines 21 and 22, paragraph 3, section 14, the words "boards of supervisors";

Also by striking from line 32, paragraph 4, section 14, the words "boards of supervisors";

Also by striking from line 78, paragraph 11, section 14, the words "and boards of supervisors";

Also by striking from line 78, paragraph 11, section 14, the comma (,) after the word "review";

Also by striking from line 110, paragraph 13, section 14, the word "question" and inserting in lieu thereof the word "action";

Also by striking from line 123, paragraph 15, section 14, the words "counties and";

Also by striking paragraph 19, section 14, and by inserting in lieu thereof the following:

"To procure in such manner as the board may determine any information pertaining to the discovery of property in any state, which is subject to taxation in this state and to furnish to the board or proper officers in any other state any information pertaining to the discovery of property which is subject to taxation in such other state as disclosed by the records in this state".

Also by striking paragraph 20 of section 14, and inserting in lieu thereof the following:

"To assess or cause to be assessed any omitted property at any time within five years from the time when said property might or should have been assessed upon the giving of ten days' notice by registered mail to the person against whom such notice is made, and to reassess or cause to be reassessed for sufficient cause discovered or brought to its attention any or all property or any class of property in any taxing district when the original assessment thereof shall have been declared to be illegal by reason of any illegality or irregularity in the assessment thereof."

Also by inserting in line 2, section 17, after the word "assessor" the words "who shall be a resident of the county and".

Also by striking section 19, and by renumbering the following sections of the bill accordingly.

Also by striking out paragraph 1, section 24, and inserting in lieu thereof the following:

"To assess or cause to be assessed as of the date of May first annually all the property, personal or real, in each county except such as is exempted from taxation or the assessment of which is otherwise provided for; however, real property shall be assessed in the year 1924 and biennially thereafter.

Also by striking out paragraph 8 of section 24 and renumbering following paragraphs of said section accordingly.

Also by striking out of section 25 the following lines commencing in line three thereof, to-wit: "together with a list of all debts which he claims as an offset against moneys and credits giving the names and addresses of each creditor".

Also by inserting after the word "year" in line 8 of section 25 the following: "such owner or other person shall also at said time furnish to the assessor upon a blank to be supplied by said assessor a list of all his obligations evidenced by bonds, notes or other writing, describing the amount thereof, when due, the rate of interest and the name and post office address of the payee, provided, however, that no such returns shall

be required as to any bond, note or other written evidence payable to a bank, or to a payee who is a non-resident of the state, and no returns shall be made of any such obligation not exceeding one hundred dollars".

"It shall be unlawful for any assessor, deputy assessor, treasurer, deputy treasurer, or any other officer or employee of the county or state to divulge information contained in such statements save and alone in courts of justice or before the state board of assessment and review."

Also by striking from lines 2 and 3, section 28, the following words "in the same or rooms adjacent to those occupied by the county auditor or".

On motion of Senator Smith further action was deferred and Senate File No. 625 was made a special order for Monday, April 9th, at 9:15 a. m., and the call of the Senate was extended until that time.

On motion of Senator Brookhart, Senate File No. 735, a bill for an act to authorize school corporations in which the school house has been or shall be destroyed by fire prior to September 1, 1923, to call a special meeting to vote on the question of issuing bonds to construct and equip a school house by giving one week's notice by posting and by publication in one newspaper, also to provide the notice for sale of bonds in certain cases, a committee bill, was taken up and considered.

Senator Brookhart moved that the rules be suspended whereby no bill could be read the second and third time the same day and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 43.

Abben	Darting	Mead	Shane
Baird	Dutcher	Newberry	Shinn
Banta	Ethell	Olson	Slosson
Bergman	Fulton	Perkins	Smith
Bowman	Gilchrist	Price	Snook
Brookhart	Hale	Reed	Stoddard
Browne	Hartman	Rees	Thurston
Buser	Holdoegel	Romkey	Tuck
Caldwell	Johnston	Schmedika	White
Campbell	Kimberly	Scott	Wichman
Cessna	Mantz	Shaff	

Nays, none.

Absent or not voting, 7.

Adams	Goodwin	Horchem	Nelson
Brookins	Haskell	McIntosh	

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:

Amend by inserting the words "to provide" in the last line after the word "also".

The amendment was adopted and the title as amended was agreed to.

Senator Brookhart moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Buser Senate File No. 637, a bill for an act to extend the provisions of section thirteen hundred six-b (1306-b) of the supplement to the code, 1913, as amended (C. C. 4054) so as to apply to special charter cities, 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:

Amend by adding after the word "charter" in line 4 of section 1 the following: "having a population of less than two thousand."

Also amend the title by adding "having a population of less than two thousand."

By unanimous consent on request of Senator Buser the words "supplement to the code, 1913," were inserted in line 2 of section 1 after the figures "(1306-b)".

Senator Buser moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Dutcher	Mantz	Shaff
Adams	Fulton	Mead	Shane
Baird	Gilchrist	Newberry	Shinn
Bergman	Goodwin	Olson	Slosson
Bowman	Hale	Perkins	Snook
Brookhart	Hartman	Price	Stoddard
Buser	Holdoegel	Reed	Thurston
Caldwell	Horchem	Rees	Tuck
Cessna	Johnston	Romkey	White
Darting	Kimberly	Schmedika	Wichman

Nays, none.

Absent or not voting, 11.

Banta	Campbell	Haskell	Scott
Brookins	Ethell	McIntosh	Smith
Browne	Dartling	Nelson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Buser moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which 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. 137, a bill for an act relating to compensation of county officers, appointment and compensation of their deputies and the collection and accounting of fees.

Also, that the House has concurred in Senate amendments to House File 413, a bill for an act to amend section 3188 of the code (C. C. 6637) relating to the period of minority of both sexes.

Also, that the House returns herewith as requested House File No. 469, a bill for an act to amend section nineteen hundred seventy-five (1975) of the code (C. C. 4817), relating to levees, drains and water courses.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 808, a bill for an act regulating the filing of claims, not allowable under laws, requiring the examination thereof by the attorney general and to report his findings thereon to the next session of the General Assembly.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 810, a bill for an act to legalize the transfer of funds by the city council of the city of Oskaloosa.

Also, that the House has passed the following resolution in which the concurrence of the Senate is asked:

Joint resolution authorizing the secretary of state to make Senate File 563, passed by the Fortieth General Assembly, effective immediately by publication.

A. C. GUSTAFSON, *Chief Clerk*

HOUSE MESSAGES CONSIDERED

House File No. 808, a bill for an act regulating the filing of claims, not allowable under laws, requiring the examination thereof by the

attorney general and to report his findings thereon to the next session of the general assembly.

Read first and second time and on motion of Senator Price was substituted for Senate File No. 720.

House File No. 810, a bill for an act to legalize the transfer of funds by the city council of Oskaloosa.

Read first and second time and referred to sifting committee.

House Joint Resolution No. 7, authorizing the secretary of state to make Senate File No. 563, passed by the Fortieth General Assembly, effective immediately by publication.

Read first and second time and referred to sifting committee.

STIRTON MEMORIAL RESOLUTION

Senator Hale offered the following resolution and moved its adoption:

Whereas, Honorable Robert C. Stirton, who was a member of the state Senate from Jones county in the Thirtieth, Thirty-first and Thirty-second General Assemblies, died at his home in Monticello, Iowa,

Therefore, Be It Resolved by the Senate of the Fortieth General Assembly, That a committee of three be appointed to draft suitable resolutions to commemorate his life, character and service to the state.

The resolution was adopted and the President appointed as such committee Senators Hale, Newberry and Reed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 594 and 645.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files Nos. 594 and 645 and House Files Nos. 292 and 537.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 6th day of April, 1923, sent to the Governor for his approval, Senate Files Nos. 594 and 645.

F. C. GILCHRIST, *Chairman*.

Passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 273, a bill for an act imposing a state tax on gasoline, and on all other liquids containing any derivative of petroleum or natural gas, produced, prepared and compounded and usable for the purpose of generating power by means of internal combustion and sold in this state, except for the purpose of re-sale, providing for the collection of such tax and for the distribution and use of the revenues derived therefrom, making an appropriation and fixing penalties; and to amend section thirteen hundred three (1303) supplemental supplement to the code, 1915, as amended, (C. C. section 2870) relating to the levy for road building purposes.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 724, a bill for an act to amend an act of the Fortieth General Assembly, known as Senate File No. 319, and relating to powers of special charter cities, by providing for the time when said act shall take effect.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 806, a bill for an act authorizing and empowering fraternal beneficiary societies, orders and associations now organized and existing, or hereafter organized, under and by virtue of the laws of the state of Iowa, or any such society, order or association, organized and existing under and by virtue of the laws of any other state, province or territory, and now or hereafter admitted to do business within this state, to create, maintain and operate for the benefit of its sick, disabled or distressed members and their families and dependents, hospitals, asylums, sanitoriums, schools and homes.

A. C. GUSTAFSON, *Chief Clerk*.

THIRD READING OF BILLS

On motion of Senator Reed, Senate File No. 703, a bill for an act relating to the sale of bonds of the state of Iowa; providing that before any contract for the sale of bonds shall be consummated it must be approved by the executive council, a committee bill was taken up and considered.

The bill was read for information.

Senator Reed moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Abben	Fulton	Newberry	Slooson
Baird	Gilchrist	Olson	Smith
Bergman	Goodwin	Perkins	Snook
Bowman	Hale	Price	Stoddard
Brookhart	Hartman	Reed	Thurston
Buser	Holdoegel	Rees	Tuck
Caldwell	Horchern	Romkey	White
Campbell	Johnston	Scott	Wichman
Cessna	Kimberly	Shaff	
Darting	Mantz	Shane	
Dutcher	Mead	Shinn	

Nays, none.

Absent or not voting, 9.

Adams	Browne	Haskell	Nelson
Banta	Ethell	McIntosh	Schmedika
Brookins			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Reed moved that the vote by which the bill passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Dutcher the committee on code revision was excused from the session.

On motion of Senator Stoddard, Senate File No. 527 was made a special order for Tuesday, April 9th, to succeed the other special orders set for that day.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee, beg leave to report it has had the following bills under consideration and recommends the same do pass: House Files Nos. 126, 401, 437, 520, 525, 533, 561, 630, 634, 678, 738, 742 and 761.

Also, that it has had the following Senate Files under consideration and recommends the same do pass: Senate Files Nos. 691 and 667.

GEO. B. PERKINS, *Chairman*.

HOUSE AMENDMENTS CONSIDERED

Senator Caldwell called up for consideration Senate File No. 273 amended by the House, and moved that the Senate concur in the following amendments:

Amend section four (4) as amended by substituting a semicolon (;) for the period (.) at the end of the third paragraph and adding the following:

"provided, however, that in every county containing a city having a population of nine thousand (9,000) or over, said funds shall be apportioned and used by the several boards of supervisors among the several townships of each county in the ratio that the assessed valuation of the property in each township (exclusive of moneys and credits) bears to the assessed valuation of all property in the county (exclusive of moneys and credits), except that such part of said funds as may not be needed for the improvement and maintenance of such county roads and main traveled township roads within such township may be used by the board of supervisors for the same purpose upon any highways radiating therefrom."

Amend section four (4) of Senate File No. 273, as amended, by striking out the fourth paragraph thereof and inserting in lieu thereof the following:

"Expenditures within cities or towns shall be made under the direction of the city or town councils, subject to the approval of the board of supervisors."

Amend Senate File No. 273 by striking from section one (1) the following words to-wit:

"except as to kerosene sold for use in the operation of motor vehicles".

Amend section 6, line 2, by inserting between the word "dealer" and the word "is" the following: "selling gasoline."

Amend Senate File No. 273 by adding to section 12 the following:

"That the law as it appears in section 1528 of the code, be amended by striking from the fifth line of section one (1) thereof the word 'four' and by inserting in lieu thereof the word 'two'".

"That the law as it appears in section 55, chapter 237, acts of the Thirty-eighth General Assembly (C. C. 2962) be repealed."

On the question "Shall the Senate concur?" the vote was:

Ayes, 3.

Kimberly

Shaff

Slosson

Nays, 35.

Abben

Dutcher

Mead

Shane

Adams

Fulton

Newberry

Shinn

Baird

Gilchrist

Olson

Smith

Bergman

Goodwin

Perkins

Snook

Bowman

Hale

Price

Stoddard

Caldwell

Holdoegel

Reed

Thurston

Campbell

Horchem

Rees

Tuck

Cessna

Johnston

Romkey

White

Darting

Mantz

Scott

Absent or not voting, 12.

Banta

Browne

Hartman

Nelson

Brookhart

Buser

Haskell

Schmedika

Brookins

Ethell

McIntosh

Wichman

The House amendments having failed to receive a consitutional majority were declared to have failed to be concurred in.

The Journal of April 5th was corrected and approved.

On motion of Senator Shaff the Senate adjourned until 9 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, April 7, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. A. Norrbom, pastor of the First Lutheran church, of Des Moines, Iowa.

On motion of Senator Kimberly rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Thurston for the day on request of Senator Price; Senator Tuck for the day on request of Senator Price; Senator Cessna for the day on request of Senator Stoddard; Senator Dutcher for the day on request of Senator Stoddard.

Senator Stoddard moved that the rules be suspended and that Senator Schmedika be extended the privilege of introducing a bill, which motion prevailed.

INTRODUCTION OF BILLS

Senate File No. 739, by Senator Schmedika, a bill for an act to repeal section fourteen hundred three (1403) of the code, and section fourteen hundred thirteen (1413) of the code as amended by chapter sixty-six (66), acts Thirty-ninth (39) General Assembly, and to enact substitutes therefor, relating to the payment of taxes and to penalties thereon.

Read first and second times and on motion of Senator Price placed on the calendar.

THIRD READING OF BILLS

On motion of Senator Bowman Senate File No. 552, a bill for an act to amend the law as it appears in section seven hundred twenty (720) of the supplement to the code, 1913, as amended by chapter three hundred twenty-six (326) of the acts of the Thirty-eighth General Assembly (C. C. section 3966) relating to the

power of cities and towns to own, build and operate certain public utilities so as to extend the provisions thereof to include telephone systems, having been withdrawn from the committee, was taken up and considered.

Senator Ethell moved the previous question, which motion prevailed, and the previous question was ordered.

The bill was read for information.

Senator Bowman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 16

Bowman	Campbell	McIntosh	Romkey
Brookhart	Darting	Nelson	Schmedika
Brookins	Gilchrist	Price	Smith
Browne	Johnston	Rees	White

Nays, 27.

Abben	Ethell	Kimberly	Shane
Adams	Fulton	Mantz	Shinn
Baird	Goodwin	Mead	Slosson
Banta	Hale	Newberry	Snook
Bergman	Hartman	Perkins	Stoddard
Buser	Holdoegel	Scott	Wichman
Caldwell	Horchem	Shaff	

Absent or not voting, 7.

Cessna	Haskell	Reed	Tuck
Dutcher	Olson	Thurston	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Bowman moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion was lost.

On motion of Senator Bergman Senate File No. 669, a bill for an act authorizing the Governor and Attorney General to act as a committee to protect the interests of the State of Iowa and of the people thereof against a trade practice known as "Pittsburgh Plus" and other similar trade practices, and making an appropriation therefor, with report of committee recommending passage, was taken up, considered, and the report of committee adopted.

Senator Bergman moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Campbell	Johnston	Schmedika
Adams	Darting	Kimberly	Scott
Baird	Fulton	McIntosh	Shaff
Banta	Gilchrist	Mantz	Shane
Bergman	Goodwin	Mead	Shinn
Bowman	Hale	Nelson	Slosson
Brookhart	Hartman	Newberry	Smith
Brookins	Holdoegel	Perkins	Snook
Caldwell	Horchem	Romkey	Stoddard
			Wichman

Nays, none.

Absent or not voting, 13.

Browne	Ethell	Reed	Tuck
Buser	Haskell	Rees	White
Cessna	Olson	Thurston	
Dutcher	Price		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Buser Senate File No. 436, a bill for an act to provide for the supervision and regulation of the service and rates of telephone companies, was taken up and considered, the report of the committee recommending indefinite postponement having been rejected.

The bill was read for information.

Senator Buser moved that the reading just had be considered the third reading, which motion prevailed.

Senator Buser invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 22.

Brookhart	Goodwin	Price	Slosson
Browne	Johnston	Rees	Smith
Buser	Kimberly	Schmedika	Stoddard
Campbell	McIntosh	Shaff	White
Fulton	Mantz	Shane	
Gilchrist	Nelson	Shinn	

Nays, 21.

Abben	Caldwell	Mead	Scott
Adams	Ethell	Newberry	Snook
Baird	Hale	Olson	Wichman
Banta	Hartman	Perkins	
Bowman	Holdoegel	Reed	
Brookins	Horchem	Romkey	

Absent or not voting, 7.

Bergman	Darting	Haskell	Tuck
Cessna	Dutcher	Thurston	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Bowman, House File No. 576, a bill for an act to make it unlawful for officers of counties, cities, towns, townships and school corporations to sell bonds issued by such county, city, township or school corporation for less than par or to pay any commission for the sale of the same and providing a penalty for its violation, 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 striking out the comma (,) in line eight (8) following the word "Sale" and substituting a period (.). Also strike out all after the comma in line eight (8), section 1, as follows: "or in procuring an opinion as to the validity of such bonds which opinion shall not cost to exceed three hundred dollars (\$300.00)".

The bill was read for information.

Senator Bowman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Abben	Darting	Mead	Shaff
Adams	Ethell	Nelson	Shane
Baird	Fulton	Newberry	Shinn
Banta	Gilchrist	Olson	Slosson
Bowman	Goodwin	Perkins	Smith
Brookhart	Hale	Price	Snook
Brookins	Hartman	Reed	White
Browne	Horchem	Rees	Wichman
Buser	Johnston	Romkey	
Caldwell	McIntosh	Schmedika	
Campbell	Mantz	Scott	

Nays, none.

Absent or not voting, 9.

Bergman	Haskell	Stoddard	Tuck
Cessna	Holdoege	Thurston	
Dutcher	Kimberly		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Fulton Senate File No. 629, a bill for an act to repeal chapter three hundred fifty-seven (357) of the acts of the Thirty-seventh General Assembly (C. C. 5769) relating to the minimum capital required for the organization of new savings banks, but not to affect savings banks at this time organized nor their renewal of charters, and to require surplus account, 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 from line seven (7) section two (2) the word and figures "ten (10)" and inserting in lieu thereof the word and figure (8)".

Senator Wichman offered the following amendment and moved its adoption:

Amend by inserting after the comma (,) in line 8 the words "or in unincorporated communities".

The amendment was adopted.

The bill was read for information.

Senator Fulton moved that the reading just had be considered the third reading, which motion prevailed.

Senator Fulton invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 19.

Abben	Gilchrist	Mantz	Slosson
Adams	Goodwin	Mead	Stoddard
Baird	Hale	Newberry	White
Banta	Hartman	Perkins	Wichman
Fulton	Horchem	Shane	

Nays, 23.

Bowman	Campbell	Nelson	Schmedika
Brookhart	Darting	Olson	Scott
Brookins	Ethell	Price	Shinn
Browne	Johnston	Reed	Smith
Buser	Kimberly	Rees	Snook
Caldwell	McIntosh	Romkey	

Absent or not voting, 8.

Cessna	Dutcher	Holdoegel	Thurston
Bergman	Haskell	Shaff	Tuck

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Olson, Senate File No. 452, a bill for an act making an appropriation to defray the expenses of the Fort Dodge, Des Moines & Southern Railroad Company made necessary in clearing its tracks on account of the slide which occurred at the south end of the capital grounds extension in the spring of 1920, 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 of lines two (2) and three (3) section one (1), the words and figures "nine thousand four hundred eight dollars and six cents (\$9,408.06)," and inserting in lieu thereof the words and figures "six thousand twenty-nine dollars and sixty-two cents (\$6,029.62)."

The bill was read for information.

Senator Olson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Darting	Mead	Scott
Adams	Gilchrist	Newberry	Shaff
Baird	Goodwin	Olson	Shane
Banta	Hale	Perkins	Slosson
Bowman	Hartman	Price	Smith
Brookhart	Holdoegel	Reed	Stoddard
Brookins	Horchem	Rees	White
Caldwell	Kimberly	Romkey	Wichman
Campbell	Mantz	Schmedika	

Nays, 5.

Browne	Fulton	Nelson	Snook
Buser			

Absent or not voting, 10.

Bergman	Ethell	McIntosh	Tuck
Cessna	Haskell	Shinn	
Dutcher	Johnston	Thurston	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Olson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hale, Senate File No. 540, a bill for an act to reimburse and compensate Carl F. Schatz and Laura Schatz, on account of the death of their son and making an ap-

propriation to pay the same, with report recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered :

Amend by striking out the figures "\$5,400" in line two of section one (1) and inserting in lieu thereof the words and figures "four thousand dollars (\$4,000)".

Senator Price offered the following amendment to the committee amendment and moved its adoption :

Amend by striking out the words and figures "four thousand dollars (\$4,000.00)" and inserting in lieu thereof the words and figures "fifty-four hundred (\$5,400.00)".

Senator Wichman raised the point of order that the amendment was out of order as the rejection of the committee amendments would accomplish this.

The President held the point well taken.

The committee amendment was rejected.

Senator Shinn offered the following amendment and moved its adoption :

Amend by adding after the figures "(\$5400.00)" in line 2 the words "from the primary road maintenance fund".

The amendment was lost.

The bill was read for information.

Senator Hale moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was :

Ayes, 40.

Abben	Darting	Kimberly	Schmedika
Adams	Ethell	Mantz	Scott
Baird	Fulton	Mead	Shaff
Banta	Gilchrist	Newberry	Shane
Bowman	Goodwin	Olson	Shinn
Brookhart	Hale	Peckins	Slosson
Brookins	Hartman	Price	Snook
Browne	Holdoegel	Reed	Stoddard
Caldwell	Horchem	Rees	White
Campbell	Johnston	Romkey	Wichman

Nays, none.

Absent or not voting, 10.

Bergman	Dutcher	Nelson	Tuck
Buser	Haskell	Smith	
Cessna	McIntosh	Thurston	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hale moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Romkey, Senate File No. 643, a bill for an act to provide for the licensing of certain dealers in fruits and vegetables, to regulate such business and to place the enforcement of the act under the supervision of the dairy and food commissioner, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shane offered the following amendment and moved its adoption:

Amend by inserting the word "fresh" between the words "any" and "fruits" in line 3 of section 1.

The amendment was adopted.

Senator Shane offered the following amendment and moved its adoption:

Amend by inserting the word "fresh" between the words "or" and "vegetables" in line 3 of section 1.

The amendment was adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by adding as section 8 the following:

"Sec. 8. This act shall not apply to any person, firm or corporation engaged in selling fresh fruits or fresh vegetables grown or raised by him or it."

The amendment was adopted:

Senator Smith moved the previous question, which motion prevailed and the previous question was ordered.

Senator Romkey moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Romkey invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 12.

Abben
Baird
Brookhart

Browne
Kimberly
Newberry

Price
Romkey
Schmedika

Shinn
Snook
Wichman

Nays, 25.

Adams	Ethell	Holdoegel	Scott
Banta	Fulton	Horchem	Shaff
Bowman	Gilchrist	Mead	Shane
Brookins	Goodwin	Perkins	Slosson
Buser	Hale	Reed	Smith
Caldwell	Hartman	Rees	Stoddard
			White

Absent or not voting, 13.

Bergman	Dutcher	McIntosh	Olson
Campbell	Haskell	Mantz	Thurston
Cessna	Johnston	Nelson	Tuck
Darting			

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 Gilchrist from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate File No. 724.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

Senator Smith moved that special orders No. 19, 20 and 21 be deferred from 9:15 a. m. Monday to 10 a. m. Wednesday, owing to conflicting special orders, which motion prevailed.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move that the Senate reconsider the vote by which Senate File No. 436 failed to pass the Senate.

M. L. BOWMAN.

On motion of Senator Price, the House was requested to return House File No. 137.

Senator Hale moved that the Senate adjourn until 1:30.

Senator Adams moved as a substitute motion that the hour be made 9 a. m., Monday.

The substitute motion was lost.

The motion prevailed and the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

PETITIONS AND MEMORIALS

Petitions endorsing House File No. 395, relative to wash houses at mines were presented by Senator Price from miners and wives of miners of Hocking, Sheriff and Buxton, and by Senator Ethell from miners and wives of miners of Exline. All were referred to sifting committee.

COMMITTEE REPORT

Senator Perkins, from the sifting committee, submitted the following report.

April 7, 1923.

MR. PRESIDENT: Your sifting committee beg leave to report they have had the following bills under consideration and recommend the same do pass: House Joint Resolution No. 7, House Files 529 and 626.

Geo. B. PERKINS, *Chairman*.

MESSAGES 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. 640, a bill for an act to amend section seventeen hundred forty-six (1746) of the code (C. C. 5662), relating to insurance other than life.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 735, a bill for an act to authorize school corporations in which the school house has been or shall be destroyed by fire prior to September 1, 1923, to call a special meeting to vote on the question of issuing bonds to construct and equip a school house by giving one week's notice by posting and by publication in one newspaper, also to provide for sale of bonds in certain cases.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 703, a bill for an act relating to the sale of bonds of the state of Iowa; providing that before any contract for the sale of bonds shall be consummated it must be approved by the executive council.

Also, that the House has indefinitely postponed 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 ten (10) of chapter two hundred eighty-seven (287) of the acts of the Thirty-eighth General Assembly as amended by section one (1) of chapter forty-four (44) of the acts of the Thirty-ninth General Assembly (S. C. C. section 1740) relating to the control and suppression of dangerous, contagious and infectious diseases of domestic animals.

Also, that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 347, a bill for an act to amend chapter thirteen (13) of the supplement to the code, 1913, (C. C. sec. 2089), chapter five-b (5-b), section two hundred fifty-four-a-fourteen (254-a14) relating to widows' pensions.

Also, that the House has concurred in Senate concurrent resolution relative to extending an invitation to Hon. Albert B. Cummins to address the members of the Fortieth General Assembly in joint convention.

Also, that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

House concurrent resolution relating to the codes, supplements, session laws, books and supplies, etc., distributed to the members of the Fortieth General Assembly.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 406, a bill for an act amending chapter four (4) of title ten (10), code of 1897 (C. C. chapter 31, title 13), relating to and requiring sheriffs to make reports of all monies received from or through condemnation proceedings and to pay such funds to county treasurers or the successor in office of such sheriff and requiring such treasurers and successors to account for the same.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 569, a bill for an act to regulate the sale, possession and use of narcotic drugs, declaring places where such drugs are possessed, sold or used unlawfully to be nuisances and subject to injunction and abatement as such; providing for search warrants and the disposition of drugs seized; providing penalties for the violation of all acts prohibited; and providing that all provisions shall be construed as mandatory and to prevent evasion; and repealing all acts or parts of acts in conflict with this act.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 636, a bill for an act providing that expense incurred by county officials attending state conventions of county officials shall not be paid from county funds.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 644, a bill for an act legalizing certain contracts awarded by the board of supervisors of Des Moines county, Iowa, and the council of the city of Burlington, Iowa, prior to January 1st, 1923, for the hard surfacing of certain roads in said county, and authorizing the issuing of certificates in anticipation of the allotments of primary road fund by said county.

Also, 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 amend section six hundred ninety-seven (697) of the code, (C. C. 3596), relating to the power of cities and towns over cemeteries.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 803, a bill for an act regulating the construction, installation, equipment, maintenance and operation of elevators; providing for the adoption of a code of standards, rules and regulations; providing for the inspection of elevators and making provision for its enforcement and providing penalties for violation.

Also, 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 provide for notice of maturity of mortgage.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 747, a bill for an act to amend section one (1), chapter one hundred eighty-nine (189), acts of the Thirty-ninth General Assembly (C. C. 5417), relating to the regulation and supervision of stocks, bonds, securities, and investment companies.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 748, a bill for an act to authorize the executive council to exchange certain lands belonging to the state for other lands located in Hancock county, Iowa.

Also, that the House has concurred in Senate amendments to House File 427, a bill for an act requiring counties to give the preference to certain roads in establishing the primary road system of the county.

Also, that the House has concurred in Senate amendments to House File 421, a bill for an act to amend section twenty-seven hundred seventy-three (2773) as amended by chapter 160, acts of the Thirty-eighth General Assembly (C. C. sec. 2639) relating to the conditions under which certain school corporations may charge tuition.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 640, a bill for an act to amend section seventeen hundred forty-six (1746) of the code (C. C. 5662), relating to insurance other than life.

Read first and second time and referred to sifting committee.

House File No. 748, a bill for an act to authorize the executive council to exchange certain lands belonging to the state for other lands located in Hancock county, Iowa.

Read first and second time and placed on the calendar.

House File No. 747, a bill for an act to amend section one (1), chapter one hundred eighty-nine (189), acts of the Thirty-ninth General Assembly (C. C. 5417), relating to the regulation and supervision of stocks, bonds, securities, and investment companies.

Read first and second time and referred to sifting committee.

House File No. 409, a bill for an act to provide for notice of maturity of mortgage.

Read first and second time and referred to sifting committee.

House File No. 803, a bill for an act regulating the construction, installation, equipment, maintenance and operation of elevators; providing for the adoption of a code of standards, rules and regulations; providing for the inspection of elevators and making provision for its enforcement and providing penalties for violation.

Read first and second time and placed on the calendar.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files 356, 366, 402, 424, 671, 682, 299, 732 and 811.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File No. 724, and House Files Nos. 356, 366, 402, 424, 671, 682, 299, 732 and 811.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 7th day of April, 1923, sent to the Governor for his approval, Senate File No. 724.

F. C. GILCHRIST, *Chairman*.

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had on April 7th, signed Senate File No. 724.

THIRD READING OF BILLS

On motion of Senator Snook, House File No. 480, 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 provided in section sixteen hundred fourteen (1614) of the code (C. C. 5334), with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Snook moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Ethell	McIntosh	Shane
Baird	Fulton	Mead	Shinn
Banta	Gilchrist	Newberry	Slosson
Brookhart	Goodwin	Perkins	Snook
Brookins	Hale	Price	Stoddard
Browne	Hartman	Reed	White
Buser	Holdoegel	Rees	Wichman
Caldwell	Horchem	Scott	
Darting	Kimberly	Shaff	

Nays, none.

Absent or not voting, 16.

Adams	Cessna	Mantz	Schmedika
Bergman	Dutcher	Nelson	Smith
Bowman	Haskell	Olson	Thurston
Campbell	Johnston	Romkey	Tuck

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Goodwin, House File No. 391, a bill for an act to prohibit nepotism within this state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nelson offered the following amendment and moved its adoption:

Amend by striking from line 13 of section 1 the words and figures "six hundred dollars (\$600.00)" and inserting in lieu thereof the words and figures "fifteen hundred dollars (\$1500.00)".

The amendment was lost.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking all that part of section one after the word "less" in line thirteen and inserting a period after the word "less".

The amendment was lost.

Senator Price offered the following amendment and moved its adoption:

Amend by adding thereto as section 3 the following:

"Sec. 3. Nothing in this act shall be construed to vacate any appointment now effective and to the end of the present term".

The amendment was adopted.

The bill was read for information.

Senator Goodwin moved that the reading just had to be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Abben	Darting	Newberry	Shane
Baird	Goodwin	Olson	Shinn
Banta	Hale	Perkins	Slosson
Bowman	Horchem	Reed	Snook
Brookhart	Johnston	Scott	Stoddard
Brookins	Kimberly	Schmedika	White
Caldwell	McIntosh	Shaff	Wichman

Nays, 8.

Ethell	Gilchrist	Holdoegel	Price
Fulton	Hartman	Mantz	Rees

Absent or not voting, 14.

Adams	Campbell	Mead	Smith
Bergman	Cessna	Nelson	Thurston
Browne	Dutcher	Romkey	Tuck
Buser	Haskell		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Olson, House File No. 468, a bill for an act to amend section three thousand three hundred four (3304) of the code, (C. C. 7826), relating to notice of appointment of executors and administrators, and legalizing notice of appointment given prior to January 1, 1920, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Olson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Goodwin	Mead	Shaff
Baird	Hale	Newberry	Shane
Banta	Hartman	Olson	Shinn
Brookhart	Holdoegel	Perkins	Slosson
Brookins	Horchem	P.ice	Snook
Caldwell	Johnston	Reed	Stoddard
Darting	Kimberly	Rees	White
Ethell	McIntosh	Romkey	Wichman
Fulton	Mantz	Schmedika	

Nays, none.

Absent or not voting, 15.

Adams	Buser	Gilchrist	Smith
Bergman	Campbell	Haskell	Thurston
Bowman	Cessna	Nelson	Tuck
Browne	Dutcher	Scott	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Romkey, House File No. 734, a bill for an act to amend section one (1), chapter one hundred seventy-two (172), laws of the Thirty-seventh General Assembly (C. C. 3923), relating to the improvement by oiling of streets and alleys and parts thereof in cities and towns and taxing of the cost to property benefited, was substituted for Senate File No. 646, taken up and considered.

The bill was read for information.

Senator Romkey moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 13.

Banta	Horchem	Newberry	Snook
Brookhart	Kimberly	Romkey	White
Caldwell	McIntosh	Shane	Wichman
Darting			

Nays, 16.

Abben	Holdoegel	Olson	Schmedika
Buser	Johnston	Price	Shaff
Fulton	Mantz	Reed	Shinn
Hartman	Mead	Rees	Stoddard

Absent or not voting, 21.

Adams	Browne	Gilchrist	Perkins
Baird	Campbell	Goodwin	Scott
Bergman	Cessna	Hale	Slosson
Bowman	Dutcher	Haskell	Smith
Brookins	Ethell	Nelson	Thurston
			Tuck

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

By unanimous consent, Senator Romkey withdrew Senate File No. 646 from further consideration.

On motion of Senator Romkey, Senate File No. 652, a bill for an act to amend section four thousand six hundred-a (4600-a) supplement to the code, 1913, as amended by chapter two hundred sixteen (216) acts of the Thirty-eighth (38) General Assembly and chapter one hundred and one (101), acts of the Thirty-ninth (39th) General Assembly (S. C. C. 6837), relating to fees of justices of the peace and constables, 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 from line six of section 1, the figures "15" and inserting in lieu thereof the figures "14".

On motion of Senator Romkey further action was deferred.

On motion of Senator Wichman, House File No. 748, a bill for an act to authorize the executive council to exchange certain lands belonging to the state for other lands located in Hancock

county, Iowa, was substituted for Senate File No. 649, taken up and considered.

The bill was read for information.

Senator Wichman moved that the rules whereby no bill can be read the second and third times the same day be suspended and that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Ethell	Mantz	Schmedika
Baird	Fulton	Mead	Shaff
Banta	Gilchrist	Nelson	Shane
Bowman	Goodwin	Newberry	Shinn
Brookhart	Hale	Olson	Slosson
Brookins	Holdoegel	Perkins	Snook
Buser	Horchem	Price	Stoddard
Caldwell	Johnston	Reed	White
Campbell	Kimberly	Rees	Wichman
Darting	McIntosh	Romkey	

Nays, none.

Absent or not voting, 11.

Adams	Cessna	Haskell	Thurston
Bergman	Dutcher	Scott	Tuck
Browne	Hartman	Smith	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Goodwin, House File No. 639, a bill for an act to legalize the acts and proceedings in relation to drainage district number thirty (30), Polk county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Abben	Buser	Gilchrist	McIntosh
Baird	Caldwell	Goodwin	Mantz
Banta	Campbell	Hartman	Mead
Bowman	Darting	Holdoegel	Nelson
Brookhart	Ethell	Horchem	Newberry
Brookins	Fulton	Kimberly	Olson

Perkins
Price
Reed
Rees

Romkey
Schmedika
Scott
Shaff

Shane
Shinn
Slosson

Snook
Stoddard
White

Nays, none.

Absent or not voting, 12.

Adams
Bergman
Browne

Cessna
Dutcher
Hale

Haskell
Johnston
Smith

Thurston
Tuck
Wichman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Gilchrist, House File No. 584, a bill for an act to amend section fifty-two hundred forty-six (5246) of the supplement to the code, 1913, (C. C. 9306-7) relating to the drawing of grand jurors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gilchrist moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben
Baird
Banta
Bowman
Brookhart
Brookins
Buser
Caldwell
Campbell
Darting

Ethell
Fulton
Gilchrist
Goodwin
Hale
Hartman
Horchem
Johnston
Kimberly
McIntosh

Mantz
Mead
Nelson
Newberry
Olson
Price
Rees
Romkey
Schmedika
Scott

Shaff
Shane
Shinn
Slosson
Snook
White
Wichman

Nays, none.

Absent or not voting, 13.

Adams
Bergman
Browne

Cessna
Dutcher
Haskell

Holdoegel
Perkins
Reed

Smith
Stoddard
Thurston
Tuck

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mead, House File No. 670, a bill for an act to legalize the certification by the county auditor, Bremer county, Iowa, of the annual levy for school purposes for the school year 1922-1923 of the independent school district No. one (1), Douglas township, Bremer county, Iowa, to the sum of eight hundred dollars (\$800.00), with report of committee recom-

mending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Mead moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Abben	Ethell	McIntosh	Scott
Baird	Fulton	Mantz	Shaff
Banta	Gilchrist	Mead	Shane
Bowman	Goodwin	Nelson	Shinn
Brookhart	Hale	Newberry	Slosson
Brookins	Hartman	Price	Snook
Buser	Holdoegel	Reed	White
Caldwell	Horchem	Rees	Wichman
Campbell	Johnston	Romkey	
Darting	Kimberly	Schmedika	

Nays, none.

Absent or not voting, 12.

Adams	Cessna	Olson	Stoddard
Bergman	Dutcher	Perkins	Thurston
Browne	Haskell	Smith	Tuck

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shaff, House File No. 607, a bill for an act to amend section five thousand seventy-seven a-6 (5077 a-6), supplement to the code, 1913 (C. C. 1514), relating to commercial feeding stuffs, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaff offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. The law as it appears in sec. 5077-a6 supplement to the code, 1913 (C. C. 1514), shall be and the same is hereby amended by striking from said section everything following the words "feeding stuffs" in line eighteen (18) up to and including the words "United States" in line twenty-two (22), and inserting in lieu thereof the following:

"stating the minimum per centum of crude protein, crude fat and nitrogen free extract and the maximum per centum of crude fibre. One per cent of nitrogen shall be construed as equal to six and twenty-five one

hundredths per cent of protein. Provided that in the case of liquid or semi-solid feeding stuffs the maximum per centum of moisture shall also be stated. Any such products as cannot be packed in an ordinary burlap bag shall be classed as liquid or semi-solid feeding stuffs. All constituents to be determined by the latest methods adopted by the Association of Official Agricultural Chemists of North America."

On motion of Senator Buser further action was deferred.

On motion of Senator Brookhart, House File No. 803, a bill for an act regulating the construction, installation, equipment, maintenance and operation of elevators; providing for the adoption of a code of standards, rules and regulations; providing for the inspection of elevators and making provision for its enforcement and providing penalties for violation, was substituted for Senate File No. 716, and was taken up and considered.

The bill was read for information.

Senator Brookhart moved that the rule whereby no bill can be read the second and third times the same day be suspended and that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Abben	Darting	McIntosh	Scott
Baird	Ethell	Mantz	Shaff
Banta	Gilchrist	Nelson	Shane
Bowman	Goodwin	Newberry	Shinn
Brookhart	Hale	Olson	Slosson
Buser	Horchem	Price	Snook
Caldwell	Johnston	Reed	White
Campbell	Kimberly	Schmedika	Wichman

Nays, none.

Absent or not voting, 18.

Adams	Dutcher	Mead	Stoddard
Bergman	Fulton	Perkins	Thurston
Brookins	Hartman	Rees	Tuck
Browne	Haskell	Romkey	
Cessna	Holdoegel	Smith	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent, Senator Brookhart withdrew Senate File No. 716 from further consideration.

On motion of Senator Brookins, House File No. 739, a bill for an act to legalize an election held on the 25th day of March, 1920, in the

independent school district of Lawler, in the county of Chickasaw, state of Iowa, for the purpose of voting on the issuance of bonds of said district in the sum of \$30,000.00 for the purpose of constructing and equipping an addition to the school house of said district and to legalize all acts and proceedings of the board of directors of said district in respect to said election and 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 Brookins moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Abben	Campbell	Mantz	Shane
Baird	Darting	Mead	Shinn
Banta	Ethell	Nelson	Slosson
Bowman	Fulton	Reed	Snook
Brookhart	Gilchrist	Rees	White
Brookins	Hale	Romkey	Wichman
Browne	Hartman	Schmedika	
Buser	Horchem	Scott	
Caldwell	McIntosh	Shaff	

Nays, none.

Absent or not voting, 17.

Adams	Goodwin	Kimberly	Price
Bergman	Haskell	Newberry	Smith
Cessna	Holdoegel	Olson	Stoddard
Dutcher	Johnston	Perkins	Thurston
			Tuck

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONCURRENT RESOLUTION

Senator Reed offered the following resolution:

Resolved by the Senate, the House concurring. That the secretary of the Senate and chief clerk of the House 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 Fortieth General Assembly; that they be permitted to select five each of their respective assistants who shall remain for a period of four days for the purpose of reading, correcting, arranging and certifying the records of the session and closing up the business of their respective offices.

The secretary of the Senate and the chief clerk of the House are hereby

authorized to correct the Journals of the Senate and the House respectively, of the last day of the session.

The postmistress shall perform her duties for three days following adjournment; all of whom shall receive the same compensation per day for such extra time as they now receive.

The secretary of the Senate and the chief clerk of the House are each authorized to designate four committee clerks who shall give aid and assistance to the desk force on the night of adjournment for which they shall receive an extra day's compensation.

The chief clerk of the House is hereby directed to retain the services of the electrician and assistant electrician of the House for the purpose of closing the voting machine and putting it in proper order following adjournment; said employees to receive compensation at the same rate they are now paid.

By unanimous consent, the resolution was taken up and considered.

On the question "Shall the resolution be adopted?" the vote was

Ayes, 29.

Abben	Darting	Kimberly	Romkey
Baird	Ethell	McIntosh	Schmedika
Banta	Fulton	Mantz	Scott
Bowman	Gilchrist	Mead	Shane
Brookhart	Hale	Nelson	Shinn
Brookins	Hartman	Newberry	Slosson
Browne	Horchem	Reed	Wichman
Caldwell			

Nays, none.

Absent or not voting, 21.

Adams	Dutcher	Olson	Smith
Bergman	Goodwin	Perkins	Snook
Buser	Haskell	Price	Stoddard
Campbell	Holdoegel	Rees	Thurston
Cessna	Johnston	Shaff	Tuck
			White

The resolution having received a constitutional majority was declared to have passed the Senate.

HOUSE AMENDMENTS CONSIDERED

Senator Shane called up for consideration Senate File No. 569, amended by the House, and moved that the Senate concur in the following amendments:

Amend by adding as section 12 the following:

"Sec. 12. This act being deemed of immediate importance shall take effect from and after its publication in the Ottumwa Courier, a newspaper published in Ottumwa, Iowa, and the Iowa Forum, a newspaper published in Des Moines, Iowa."

On the question "Shall the Senate concur?" the vote was:

Ayes, 34.

Abben	Ethell	Mantz	Shaff
Banta	Fulton	Mead	Shane
Bowman	Gilchrist	Nelson	Shinn
Brookhart	Hale	Newberry	Slosson
Brookins	Hartman	Olson	Snook
Buser	Horchem	Reed	White
Caldwell	Johnston	Rees	Wichman
Campbell	Kimberly	Schmedika	
Darting	McIntosh	Scott	

Nays, none.

Absent or not voting, 16.

Adams	Cessna	Holdoegel	Smith
Baird	Dutcher	Perkins	Stoddard
Bergman	Goodwin	Price	Thurston
Browne	Haskell	Romkey	Tuck

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Wichman called up for consideration Senate File No. 406 amended by the House, and moved that the Senate concur in the following amendments:

Amend the title to Senate File 406 by striking the following interlineation in line one (1) "amending chapter four (4) of title ten (10), code of 1897 (C. C. chap. 31, title 13)".

On the question "Shall the Senate concur?" the vote was:

Ayes, 36.

Abben	Darting	McIntosh	Schmedika
Banta	Ethell	Mantz	Scott
Bowman	Fulton	Mead	Shaff
Brookhart	Gilchrist	Nelson	Shane
Brookins	Hale	Newberry	Shinn
Browne	Hartman	Olson	Slosson
Buser	Horchem	Reed	Snook
Caldwell	Johnston	Rees	White
Campbell	Kimberly	Romkey	Wichman

Nays, none.

Absent or not voting, 14.

Adams	Dutcher	Perkins	Stoddard
Baird	Goodwin	Price	Thurston
Bergman	Haskell	Smith	Tuck
Cessna	Holdoegel		

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

BILLS SIGNED BY GOVERNOR

A communication was received from the Governor stating that he had on April 6th signed Senate Files Nos. 645 and 594.

INTRODUCTION OF BILLS

Senate File No. 740, by committee on cities and towns, a bill for an act to amend section eight hundred seventy-nine-r (879-r), supplemental supplement to the code, 1913, relating to the power of cities to provide playgrounds, and to authorize the equipment and maintenance of playgrounds and recreation centers on lands and in buildings owned by the city.

Read first and second times and placed on the calendar.

AMENDMENT FILED

Amend Senate File No. 702 by striking out section thirteen (13) and by substituting in lieu thereof the following:

"Sec. 13. The board may, subject to the approval of the executive council, enter into an agreement or arrangement with the board of supervisors of any county or the council of any city or town whereby such county, city or town shall undertake the care and maintenance of any state park. Counties, cities and towns are authorized to maintain such parks and to pay the expense thereof from the general fund of such county, city or town as the case may be."

BYRON W. NEWBERRY.

The Journal of April 6th was corrected and approved.

On motion of Senator Shaff, the Senate adjourned until 9 a. m., Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 9, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. C. E. Baker, pastor of the Methodist Church of Fayette, Iowa.

On motion of Senator Brookhart rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

Senator Nelson presented a petition from business firms and truck operators of Cass county protesting Senate File 361 relative to operation of motor busses.

Senator Olson presented petitions from the United Mine Workers, Local 3845, Madrid, endorsing House File 395 relative to wash houses at mines.

Senator Price presented petitions from miners and wives of miners of Wanlock endorsing House File 395.

Senator Mantz presented petitions from miners and wives of miners of Zook Spur endorsing House File 395.

Senator McIntosh presented petitions from employees of the Chicago, Burlington and Quincy Railroad of Creston protesting Senate File 663 relative to valuation of railways for assessment purposes, and Senate File 559 relative to automatic doors for locomotive fire boxes.

All petitions were referred to the sifting committee.

INTRODUCTION OF BILLS

Senate File No. 741, by committee on conservation, a bill for an act repealing the law as it appears in chapter one (1) of title ten (10) of the code as amended by chapter twenty-five (25) of the acts of the Thirty-seventh General Assembly (C. C. chapter 3, title XIV), and enacting a substitute therefor relating

to the issuance of permits and licenses for the construction, maintenance and operation of dams in navigable and meandered streams and other water courses; providing for the payment of a license and annual operating fee; prohibiting unlawful combinations and fixing of prices charged for power; and prescribing remedies and penalties for violations thereof.

Read first and second times and placed on calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 491, a bill for an act to amend section ten (10) of chapter two hundred seventy-five (275), acts of the Thirty-eighth General Assembly (C. C. 3053) by providing for a refund of license fee upon such cars as are destroyed or stolen and not recovered during the year for which registration was paid.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 407, a bill for an act to amend section two thousand five hundred sixty-two-b (2562-b) of the supplemental supplement to the code, 1915, (C. C. 1137), relating to the ownership and title of wild game, birds, and fish, and providing for the ownership of mussels, clams and frogs.

Also, 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 to amend section eighteen hundred seventy-seven (1877) of the code of 1897 by adding thereto provisions for the examination, at the instance of receivers appointed thereunder, of persons suspected of having taken wrongful possession of any of the effects of a state or savings bank, or of having had such effects under their control, and providing that such persons may be required to appear and submit to such examination, and for the enforcement of orders in the course of proceedings.

Also, 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 regulating the sale of live stock remedies; defining same; providing for their registration, labeling, inspection, and analysis; prohibiting the sale of fraudulent or adulterated remedies; providing for guaranties regarding ingredients; providing for the affixing of labels or stamps to the packages thereof as evidence of the registration and guaranty thereof; providing for the collection of an inspection tax from the manufacturers of or from the dealers in these remedies; providing penalties for the violation of the provisions of this act; and repealing all laws or parts of laws in conflict therewith.

Also, 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 to repeal sections two thousand four hundred three (2403) (C. C. 963) and two thousand four hundred three-a (2403-a) (C. C. 964) of the supplement to the code of Iowa, 1913, relating to the sale of intoxicating liquors.

Also, 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 to amend section four hundred thirty-three (433) of the code (C. C. 3345), relating to the burial of indigent soldiers and sailors.

Also, that the House refuses to concur in Senate amendment to House File 629, a bill for an act relating to the pollution of the waters of any stream, waterway or lake of this state, providing penalties for violation thereof, and providing for the issuance of a writ of injunction to prohibit the same.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 559, a bill for an act regulating the sale of live stock remedies; defining same; providing for their registration, labeling, inspection, and analysis; prohibiting the sale of fraudulent or adulterated remedies; providing for guaranties regarding ingredients; providing for the affixing of labels or stamps to the package thereof as evidence of the registration and guaranty thereof; providing for the collection of an inspection tax from the manufacturers of or from the dealers in these remedies; providing penalties for the violation of the provisions of this act; and repealing all laws or parts of laws in conflict therewith.

Read first and second times and referred to sifting committee.

THIRD READING OF BILLS

On motion of Senator Wichman House File No. 645, a bill for an act repealing the law as it appears in section two thousand five hundred forty-six (2546), supplement to the code, 1913, C. C. 1114) relating to the powers of the state fish and game warden, providing that the warden may enter into contracts with persons, firms or corporations for the removal and sale of certain fish from the waters of this state and providing for the disposition of all funds derived therefrom, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wichman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Gilchrist	Perkins	Shinn
Baird	Hartman	Price	Slosson
Bergman	Holdoegel	Reed	Snook
Brookins	Johnston	Rees	Stoddard
Browne	McIntosh	Romkey	Thurston
Caldwell	Mantz	Schmedika	Tuck
Campbell	Nelson	Scott	White
Darting	Newberry	Shaff	Wichman
Fulton	Olson	Shane	

Nays, 1.

Buser

Absent or not voting, 14.

Adams	Cessna	Hale	Mead
Banta	Dutcher	Haskell	Smith
Bowman	Ethell	Horchem	
Brookhart	Goodwin	Kimberly	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Price moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Fulton, House Joint Resolution No. 7, authorizing the secretary of state to make Senate File No. 563, passed by the Fortieth General Assembly, effective immediately by publication, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The resolution was read for information.

Senator Fulton moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 37.

Abben	Caldwell	Hartman	Newberry
Baird	Campbell	Holdoegel	Olson
Banta	Darting	Johnston	Perkins
Bergman	Dutcher	McIntosh	Price
Browne	Fulton	Mantz	Reel
Buser	Gilchrist	Nelson	Rees

Romkey
Schmedika
Scott
Shaff

Shane
Shinn
Slosson
Smith

Snook
Stoddard
Thurston

Tuck
Wichman

Nays, none.

Absent or not voting, 13.

Adams
Bowman
Brookhart
Brookins

Cessna
Ethell
Goodwin
Hale

Haskell
Horchem
Kimberly

Mead
White

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Rees, Senate File No. 429, 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 commissioners 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Thurston offered the following amendment and moved its adoption:

Amend by adding as section 3 the following:

"Sec. 3. In event the lines concerned cannot agree upon the charges or division thereof the facts and arguments in support of the same shall be submitted to the railroad commission who shall be empowered to make a fair adjustment between the lines, saving the right of appeal to the district court in the county where the connection is sought to be made upon the same notice and conditions as in railroad rate hearings had before it."

Senator Holdoegel offered the following amendment as a substitute:

...

Amend by adding to line 24 of section 1 the following: "and that the quality of service is such that service to the public would not be injured or impaired".

Also add at the end of section 1 the following: "Providing that upon the failure of either party to maintain the quality of service necessary adequately and efficiently to serve the public, the railroad commission may discontinue such service."

Senator Holdoegel withdrew his amendment.

Senator Thurston's amendment was adopted.

The bill was read for information.

Senator Rees moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Abben	Campbell	Johnston	Shaff
Adams	Cessna	McIntosh	Shane
Baird	Darting	Mantz	Shinn
Banta	Dutcher	Nelson	Slosson
Bergman	Ethell	Newberry	Smith
Bowman	Fulton	Price	Snook
Brookhart	Gilchrist	Rees	Thurston
Brookins	Hale	Romkey	Tuck
Browne	Hartman	Schmedika	White
Buser	Horchem	Scott	Wichman

Nays, 2.

Caldwell Olson

Absent or not voting, 8.

Goodwin	Holdoegel	Mead	Reed
Haskell	Kimberly	Perkins	Stoddard

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Thurston moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Price, House File No. 808, a bill for an act regulating the filing of claims, not allowable under laws, requiring the examination by the attorney general and to report his findings thereon to the next session of the general assembly, was substituted for Senate File No. 720, taken up and considered.

The bill was read for information.

Senator Price moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Campbell	Hale	Nelson
Baird	Cessna	Hartman	Newberry
Bergman	Darting	Holdoegel	Olson
Brookhart	Dutcher	Horchem	Perkins
Brookins	Ethel	Johnston	Price
Browne	Fulton	McIntosh	Reed
Caldwell	Gilchrist	Mantz	Romkey

Schmedika
Scott
Shaff

Shane
Shinn
Slosson

Snook
Stoddard
Tuck

White
Wichman

Nays, 1.

Smith

Absent or not voting, 10.

Adams
Banta
Bowman

Buser
Goodwin
Haskell

Kimberly
Mead
Rees

Thurston

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent Senator Price withdrew Senate File No. 720 from further consideration.

On motion of Senator Gilchrist Senate File No. 715, a bill for an act to amend section eight hundred thirty-nine (839), code of 1897 (C. C. section 3903), relating to special assessments and appeals therefrom, a committee bill, was taken up and considered.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking therefrom the word and figure "twenty (20)" in line 12 and inserting in lieu thereof the word and figure "fifteen (15)".

Also amend by striking the comma after the word "levy" in line 12 and inserting in lieu thereof the following: "and filing in the office of said city or town clerk a bond for the payment of all costs which may be adjudged against the plaintiff which bond shall be approved by either the mayor or clerk thereof or by the clerk of said district court, in a sum amounting to at least five per cent of plaintiff's assessment appealed from, but in no event less than two hundred fifty dollars."

Also by striking the letter "a" and the parenthesis enclosing it in line 17.

Also by inserting a period in lieu of the comma after the word "complaint" in line 18 of the bill and by striking the following words from lines 19 and 20 of the bill: "and (b) a bond for costs with surety and in an amount to be approved by said clerk."

The amendment was adopted.

By unanimous consent on request of Senator Price the words "within the same time" were inserted after the word "and" at the end of line 6 of the amendment.

By unanimous consent on request of Senator Gilchrist the words "Section 839—Appeal" were stricken from the bill.

The bill was read for information.

Senator Gilchrist moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Abben	Cessna	Mead	Scott
Adams	Dutcher	Nelson	Shaff
Baird	Fulton	Newberry	Shane
Banta	Gilchrist	Olson	Shinn
Bergman	Hale	Perkins	Slosson
Brookhart	Hartman	Price	Snook
Brookins	Holdoegel	Reed	Stoddard
Browne	Horchem	Rees	Tuck
Buser	McIntosh	Romkey	White
Campbell	Mantz	Schmedika	Wichman

Nays, none.

Absent or not voting, 10.

Bowman	Ethell	Johnston	Thurston
Caldwell	Goodwin	Kimberly	
Darting	Haskell	Smith	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Baird, House File No. 626, a bill for an act to repeal section two hundred seventy-eight (278) of the code, (C. C. 6910), relating to the salary of judges of superior courts, and to enact a substitute therefor, also to amend section two hundred sixty-two (262) of the code (C. C. 6907) relating to powers of judges of superior courts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wichman offered the following amendment and moved its adoption:

Amend by striking out section 2 thereof.

The amendment was adopted.

Senator Baird offered the following amendment and moved its adoption:

Amend by inserting after the period following the word and figure, "Section 1." in line one, the following: "That section two hundred seventy-eight (278) of the code of 1897, (C. C. 6910) be and the same is hereby repealed and the following substituted in lieu thereof:"

Amend the title by striking out all after the word "therefor" in line four, and changing the comma after said word "therefor" to a period.

The amendment was adopted.

The bill was read for information.

Senator Baird moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32

Abben	Caldwell	Mantz	Shaft
Adams	Campbell	Mead	Shane
Baird	Ethell	Newberry	Slosson
Banta	Fulton	Olson	Stoddard
Bergman	Hale	Perkins	Thurston
Bowman	Holdoegel	Price	Tuck
Brookhart	Horchem	Reed	White
Brookins	McIntosh	Rees	Wichman

Nays, 6.

Buser	Johnston	Schmedika
Hartman	Nelson	Snook

Absent or not voting, 12.

Browne	Dutcher	Haskell	Scott
Cessna	Gilchrist	Kimberly	Shinn
Darting	Goodwin	Romkey	Smith

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Baird moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Abben House File No. 563, a bill for an act amending section seventeen hundred seventy-nine (1779), of the code (C. C. 5488), relating to life insurance with report of committee recommending amendment and passage was substituted for Senate File No. 479 taken up and considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. That section seventeen hundred seventy-nine (1779) of the code, (C. C. 5488), be, and the same is hereby amended by striking out the period following the word 'insurance' in line three and inserting in lieu thereof a semicolon and words as follows: 'Provided that, by permission of the insurance commissioner, companies may substitute for such

securities certificates of sale furnished by the sheriff in connection with the foreclosure of mortgages owned only by said companies and such certificates of sale shall only be accepted for deposit in amount not exceeding the original amount of securities withdrawn, provided, however, that no such change of a security shall be made if the same has been purchased from any officer, stockholder, agent or employe of the insurer. Such certificate of sale shall be withdrawn at end of period of redemption or within thirty days if redemption is made before time fixed for redemption by law or from date a deed is procured, and provided further, that companies may substitute for such securities, warranty deeds executed by the company owning such securities conveying all the property included in the original mortgage to the commissioner of insurance in trust for the policy holders of said company, and provided that, in no event, shall the certificate issued thereunder be accepted for more than the amount bid at the execution sale. Before depositing any such deed with the commissioner of insurance it shall first be recorded in the county where such property is located. Said deeds shall only be accepted for deposit in amount not exceeding the original amount of security withdrawn and when accompanied by certificate executed by a competent attorney showing that the company has good title to the property conveyed and further showing that the company holds in its office an abstract of title showing title in name of the said company; provided that the total amount of certificates of sale and deeds deposited as herein provided shall not exceed five (5) per cent of the amount any such company is required by law to maintain on deposit with the insurance department, and all such deeds shall be withdrawn within three years from the date of this deposit. Nothing herein contained shall be construed to alter or change the provisions of section eighteen hundred four (1804) (C. C. 5530) of the code."

Senator Abben offered the following amendment and moved its adoption:

Amend by inserting the words "or deed" in line 22 after the word "certificate".

The amendment was adopted.

Senator Price offered the following amendment and moved its adoption:

Amend by inserting the words "their actual value and not exceeding" in line 26 after the word "exceeding".

The amendment was adopted.

Senator Wichman offered the following amendment and moved its adoption:

Amend by striking from section 1 the words "such securities certificate of sale furnished by the sheriff in connection with the foreclosure of mortgage owned only by said companies" and substitute the following:

"any mortgage held by such commissioner or sheriff certificate obtained in foreclosure of such mortgage so held by the commissioner."

The amendment was adopted.

Senator Price offered the following amendment and moved its adoption:

Amend by striking the words "a competent attorney" from line 28 and inserting in lieu thereof the words "the attorney general".

The amendment was adopted.

The bill was read for information.

Senator Abben moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Senator Abben invoked rule 8.

Ayes, 24.

Abben	Dutcher	Mantz	Scott
Baird	Ethell	Newberry	Shane
Banta	Fulton	Olson	Slosson
Bergman	Gilchrist	Perkins	Snook
Brookins	Holdoegel	Reed	White
Darting	Horchem	Rees	Wichman

Nays, 20.

Adams	Cessna	Mead	Shaff
Brookhart	Hale	Nelson	Shinn
Browne	Hartman	Price	Smith
Buser	Johnston	Romkey	Thurston
Caldwell	McIntosh	Schmedika	Tuck

Absent or not voting, 6.

Bowman	Goodwin	Kimberly	Stoddard
Campbell	Haskell		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

By unanimous consent Senator Abben withdrew Senate File No. 479 from further consideration.

On motion of Senator Olson, House File No. 405, a bill for an act to amend section twenty-two hundred forty-seven (2247) of the supplement to the code, 1913, (C. C. sec. 3300) relating to the levy of an assessment for the support of the poor, with report of committee recommending amendment and passage, was taken up and considered, the report of the committee having been previously adopted.

Senator Olson moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Shane invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Abben	Cessna	Horchem	Rees
Adams	Darting	Mantz	Schmedika
Baird	Dutcher	Mead	Scott
Banta	Fulton	Newberry	Shane
Bergman	Gilchrist	Olson	Slosson
Brookhart	Hale	Perkins	Smith
Brookins	Hartman	Price	Thurston
Caldwell	Holdoegel	Reed	Tuck
			White

Nays, 11.

Browne	Johnston	Romkey	Snook
Buser	McIntosh	Shaff	Wichman
Ethell	Nelson	Shinn	

Absent or not voting, 6.

Bowman	Goodwin	Kimberly	Stoddard
Campbell	Haskell		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Reed, Senate File No. 665, a bill for an act granting to any city or town, including cities acting under the commission plan of government and special charter cities, the power to appoint a zoning commission and to prescribe its duties; to divide the city or town into districts with respect to the development and uses of the property therein; and to adopt uniform rules for such property which may affect the general welfare; to provide for the appointment of a board of adjustment and to prescribe its duties; to institute appropriate action or proceedings in case of violation of this act or of any ordinance or other regulation made under authority conferred thereby, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mantz offered the following amendments and moved their adoption:

I move to amend Senate File No. 665 as follows:

1st. By striking out all of section 1 following the period found in line 11.

2nd. By inserting the words "area of the" between the words "the" and "district" found in line 11 of section 3.

3rd. By striking out the words "its" in line 11 section 3 and inserting the word "the" in lieu thereof.

4th. By inserting the words "of such area" before the word "for" found in line 12 of section 3.

5th. By inserting the word "after" before the word "a" in line 7 section 4.

6th. By striking out the following words in lines 10, 11 and 12 of section 5 "therefrom, or of those directly opposite thereto extending the depth of one lot or not to exceed 200 feet."

7th. By striking out all of section 7 and inserting in lieu thereof the following:

Section 7. The council shall provide for the appointment of a board of adjustment and in the regulations and restrictions adopted pursuant to the authority of this act shall provide that the said board of adjustment may in appropriate cases and subject to appropriate conditions and safeguards make special exceptions to the terms of the ordinances in harmony with its general purpose and intent and in accordance with general or specific rules therein contained and provide that any property owner aggrieved by the action of the council in the adoption of such regulations and restrictions may petition the said board of adjustment direct to modify regulations and restrictions as applied to such property owners.

The board of adjustment shall consist of five members each to be appointed for a term of five years, excepting that when the board shall first be created one member shall be appointed for a term of five years, one for a term of four years, one for a term of three years, one for a term of two years, and one for a term of one year. Members shall be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

The board shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this act. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Such chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record.

Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time as provided by the rules of the board by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown.

The board of adjustment shall have the following powers:

(1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this act or of any ordinance adopted pursuant thereto.

(2) To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance.

(3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done.

In exercising the above-mentioned powers such board may, in conformity with the provisions of this act, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

The concurring vote of three members of the board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance or to effect any variation in such ordinance.

Any person or persons, jointly or severally aggrieved by any decision of the board of adjustment under the provisions of this act, or any taxpayer, or any officer, department, board or bureau of the municipality, may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty days after the filing of the decision in the office of the board.

Upon the presentation of such petition, the court may allow a writ of certiorari directed to the board of adjustment to review such decision of the board of adjustment and shall prescribe therein the time within which a return thereto must be made and served upon the relator's attorney, which shall not be less than ten days and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the board and on due cause shown, grant a restraining order.

The board of adjustment shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.

If upon the hearing which shall be tried de novo it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.

Costs shall not be allowed against the board, unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from.

All issues in any proceedings under this section shall have preference over all other civil actions and proceedings.

8th. By striking out the word "of" at the end of line 2 section 9 and inserting in lieu thereof the word "or".

9th. By numbering the present section 10 section 11 and inserting as section 10 the following:

"Section 10. When any city or town shall have taken advantage of and proceeded under the provisions of this act then chapter 138 of the acts of the Thirty-seventh General Assembly and acts amendatory thereof shall be no longer operative as to such city or town.

The amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by adding to section 3 the following: "Providing that the lands and territory adjacent to shipping facilities in either steam or electric main line railroads or side tracks shall be placed in districts designated or assigned to industrial enterprises."

The amendment was lost.

Senator Reed moved that the bill be 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, 27.

Abben	Fulton	Newberry	Slosson
Baird	Gilchrist	Olson	Smith
Banta	Hale	Price	Stoddard
Bowman	Holdoegel	Reed	Thurston
Caldwell	Horchem	Rees	Tuck
Darting	McIntosh	Scott	Wichman
Dutcher	Mantz	Shaff	

Nays, 13.

Bergman
Brookhart
Brookins
Browne

Buser
Campbell
Cessna
Hartman

Johnston
Schmedika
Shane

Shinn
Snook

Absent or not voting, 10.

Adams
Ethell
Goodwin

Haskell
Kimberly
Mead

Nelson
Perkins
Romkey

White

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 as follows:

Strike out the period at the end of the title and substitute a semicolon therefor, and add the following:

"and providing for appeals from the action of the board of adjustment, and from the city council, and prescribing notice and hearing of such appeal; also providing that when any city or town avails itself of the provisions of this act, the provisions of chapter one hundred thirty-eight (138) acts of the Thirty-seventh General Assembly, and acts amendatory thereof, shall be inoperative and void."

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Holdoegel, House File No. 400, a bill for an act to amend section 39 of chapter 237 of the laws of the Thirty-eighth General Assembly (C. C. 2947) authorizing the board of supervisors to use a part of the primary road fund for the purpose of improving the secondary roads of the county, 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 section 2 by inserting after the word "gravelling" in line four (4) thereof the words "or other surfacing approved by the highway commission".

Senator Holdoegel moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Holdoegel invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Abben	Darting	Mead	Shane
Adams	Fulton	Newberry	Slosson
Baird	Gilchrist	Olson	Snook
Banta	Hale	Perkins	Stoddard
Bergman	Hartman	Reed	White
Bowman	Holdoegel	Schmedika	Wichman
Brookhart	Horchem	Scott	
Caldwell	McIntosh	Shaff	

Nays, 11.

Browne	Cessna	Rees	Thurston
Buser	Johnston	Romkey	Tuck
Campell	Price	Shinn	

Absent or not voting, 9.

Brookins	Goodwin	Mantz	Smith
Dutcher	Haskell	Nelson	
Ethell	Kimberly		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Holdoegel moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 499, 636, 703 and 735.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

Senator Stoddard moved that Senate Files Nos. 458, 462, 465 and 464 be made a special order for tomorrow at 1:30 p. m.

Senator Price moved to amend by adding that all other appropriation bills be included in the special order to follow these four.

The amendment was adopted.

The motion as amended prevailed.

Senator Ethell moved that House File No. 395 be withdrawn from the mines and mining committee and placed on the calendar.

Senator Ethell invoked rule 8.

On the question "Shall the motion prevail?" the vote was:

Ayes, 16.

Bowman	Caldwell	Gilchrist	Romkey
Brookhart	Campbell	Johnston	Thurston
Browne	Darting	Price	Tuck
Buser	Ethell	Rees	Wichman

Nays, 21.

Abben	Fulton	McIntosh	Shaff
Baird	Hale	Mead	Shane
Banta	Hartman	Newberry	Shinn
Bergman	Holdoegel	Perkins	Slosson
Cessna	Horchem	Scott	Snook
			Stoddard

Absent or not voting, 13.

Adams	Haskell	Olson	White
Brookins	Kimberly	Reed	
Dutcher	Mantz	Schmedika	
Goodwin	Nelson	Smith	

The motion was lost.

On motion of Senator Price, the Senate adjourned until 1:15 today.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President John Hammill presiding.

INTRODUCTION OF BILLS

Senate File No. 742, by sifting committee, a bill for an act to legalize the acts and proceedings of the board of supervisors and other officers of the county of Marion, in the state of Iowa, in relation to Sugar Creek Drainage District Number One, Marion county, Iowa.

Read first and second times and placed on the calendar.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee to whom was referred the following bills wish to report they have had the same under consideration and recommend the same do pass: House Files 806 and 810.

GEO. B. PERKINS, *Chairman*.

MESSAGES 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. 368, a bill for an act relating to the levying of a tax to be known as the county general fund.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 303, a bill for an act to amend section thirty (30) (C. C. 3073) of chapter two hundred seventy-five (275) acts of the Thirty-eighth General Assembly as amended by chapter one hundred fifty-four (154) acts of the Thirty-ninth General Assembly relating to the operation of motor vehicles while intoxicated, and providing a penalty therefor.

Also, 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 amending section seventeen hundred and ten (1710), supplement to the code, 1913, as amended by section five (5), chapter four hundred twenty-eight (428), laws of the Thirty-seventh General Assembly and section three (3), chapter three hundred forty-eight (348), laws of the Thirty-eighth General Assembly and section one (1), chapter two hundred sixty-one (261), laws of the Thirty-ninth General Assembly (C. C. 5628) relating to insurance, other than life.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 517, a bill for an act to provide for a marker and fence at the grave of Willson Alexander Scott and providing an appropriation therefor.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 604, a bill for an act to make an appropriation for the payment of the expenses incurred in the election contest of Rumley vs. Springer.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 798, a bill for an act to authorize the state board of conservation, by and with the consent of the executive council, to sell and dispose of natural resources such as timber, sand, gravel and minerals located on or under state lands and waters, which are subject to control by the state board of conservation.

Also, that the House returns herewith as requested by the Senate, House File 137, a bill for an act relating to compensation of county officers, appointment and compensation of their deputies and the collection and accounting of fees.

Also, that the House has adopted Senate concurrent resolution, relating to the proposed packing merger and endorsing proceedings in the department of agriculture brought to prevent the same.

Also, that the House insists on its amendments to Senate File 273, a bill for an act imposing a state tax on gasoline, and requests a confer-

ence committee and the Speaker appoints as such committee, on the part of the House, Representatives McClune, Edson, Lovrien and Henderson.
A. C. GUSTAFSON, *Chief Clerk*.

CONFERENCE COMMITTEE ON SENATE FILE NO. 273

President Hammill appoints as such committee, on the part of the Senate, Senators Slosson, Caldwell, Scott and Smith.

HOUSE MESSAGES CONSIDERED

House File No. 604, a bill for an act to make an appropriation for the payment of the expense incurred in the election contest of Rumley vs. Springer.

Read first and second times and referred to appropriations committee.

House File No. 798, a bill for an act to authorize the state board of conservation, by and with the consent of the executive council, to sell and dispose of natural resources such as timber, sand, gravel and minerals located on or under state lands and waters, which are subject to control by the state board of conservation.

Read first and second time and referred to sifting committee.

THIRD READING OF BILLS

On motion of Senator Wichman Senate File No. 361, a bill for an act providing for the supervision and regulation of persons either natural or artificial engaged in the transportation of persons or property for hire over the public highways of the state by motor vehicles and conferring certain jurisdiction over such persons and such vehicles upon the board of railroad commissioners of the state; also providing for the enforcement of this act and for the punishment of violation thereof, which was made a special order, was taken up and considered, the report of the committee adopted.

Senator Romkey offered the following amendment and moved its adoption:

Amend by striking out the period at the end of line 18 of section 1 and by inserting in lieu thereof a comma and adding the following "or to any vehicle used in collecting dairy products from the producer".

The amendment was adopted.

Senator Buser offered the following amendments and moved their adoption:

Amend by striking from section nine (9) beginning at paragraph one

(1) thereof all that part of said section included in paragraphs 1, 2, 3, 4, and 5, and insert in lieu thereof the following:

"Sec. 9. In addition to the regular license fees or taxes imposed by the law relating to motor vehicles and motor trucks, every motor carrier shall pay each year of operation or portion thereof computed from January 1st the following fees or taxes for the maintenance and the upkeep of the public highways:

For passenger vehicles.

Up to and including seven seat capacity, exclusive of driver, five dollars per seat for each seat capacity.

From seven up to and including fifteen seat capacity, exclusive of driver, seven dollars and fifty cents for each seat capacity.

For all over fifteen seat capacity, exclusive of driver, ten dollars per seat capacity.

For freight vehicles with pneumatic tires.

Up to three tons rated capacity, one dollar for each one hundred pounds of gross weight of vehicle and rated capacity.

Over three tons rated capacity, one dollar and fifty cents for each one hundred pounds of gross weight of vehicle and rated capacity.

For freight vehicles with solid rubber tires.

Up to three tons rated capacity, one dollar and fifty cents for each one hundred pounds of gross weight of vehicle and rated capacity.

Over three tons rated capacity, two dollars for each one hundred pounds of gross weight of vehicle and rated capacity.

All fees or taxes herein provided shall be paid to the secretary of state quarterly in advance, on or before the first day of January, April, July and October.

Also amend by striking from line 74 of paragraph 6 of section 9 the following "county treasurer" and insert in lieu thereof the following "secretary of state".

Senator Wichman raised the point of order that the matter contained in Senator Buser's amendment was acted upon by the Senate and voted down on Friday and could not be considered at this time.

The President held the point well taken.

Senator Buser moved that the vote by which the committee amendments to section 9 failed to be adopted be reconsidered.

Senator Holdoegel raised the point of order that Senator Buser did not vote on the prevailing side.

The President held the point well taken.

Senator Caldwell offered the following amendment and moved its adoption:

Amend by striking out sub-section (e) of section 11 and renumbering sub-sections (f), (g) and (h) as (e), (f), and (g).

Senator Price raised the point of order that this had been acted on in an amendment by Senator Brookhart.

The President held the point well taken.

Senator Price raised the point of order that a point of order was not a debatable proposition.

The President held the point well taken.

Senator Holdoegel raised the point of order that this section had been previously amended and could not be stricken out.

The President held the point well taken.

Senator McIntosh moved the previous question, which motion was lost.

Senator Ethell moved that the Senate reconsider the vote by which the amendments to section 9 failed to be adopted.

Senator Wichman raised the point of order that this matter had already been disposed of and that it was too late to reconsider this vote.

The President held the point not well taken.

Senator Newberry invoked rule 8.

On the question "Shall the Senate reconsider the vote by which the amendments were not adopted?" the vote was:

Ayes, 22.

Baird	Caldwell	Mead	Shinn
Bergman	Campbell	Nelson	Slosson
Brookhart	Cessna	Rees	Snook
Brookins	Ethell	Romkey	Tuck
Browne	Hætman	Shaff	
Buser	McIntosh	Shane	

Nays, 25.

Abben	Goodwin	Olson	Stoddard
Adams	Hale	Perkins	Thurston
Banta	Holdoegel	Price	White
Bowman	Horchem	Reed	Wichman
Dutcher	Johnston	Schmedika	
Fulton	Mantz	Scott	
Gilchrist	Newberry	Smith	

Absent or not voting, 3.

Darting	Haskell	Kimberly
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The motion to reconsider was lost.

Senator Price offered the following amendment and moved its adoption:

Amend by striking the word "more" from line 17, section 1, and inserting in lieu thereof the word "less".

The amendment was adopted.

Senator Wichman offered the following amendment and moved its adoption:

Amend by striking from section 8 all that language beginning in line 12 with the word "or" and ending with the word "describe" in line 16.

The amendment was adopted.

Senator Goodwin offered the following amendment and moved its adoption:

Amend by striking out the period (.) after the word "market" in line nine (9) of section eight (8) and adding after the said word "market" the following:

"or for transporting household goods or farm machinery.".

The amendment was lost.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out of lines 5 and 6 of section 9 the words and figures "three-tenths cent (3-10c)" and inserting in lieu thereof the words and figures "one-eighth cent (1-8c)" and by striking from line 9 of section 8 the words and figures "one-half cent (1-2c)" and inserting in lieu thereof the words and figures "one-fourth cent (1-4c)".

Senator Bowman invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 33.

Abben	Campbell	Mantz	Shinn
Adams	Ethell	Mead	Slosson
Baird	Fulton	Nelson	Stoddard
Bergman	Gilchrist	Perkins	Thurston
Brookhart	Goodwin	Price	Tuck
Brookins	Hartman	Rees	Wichman
Browne	Holdoegel	Romkey	
Buser	Horchem	Schmedika	
Caldwell	McIntosh	Shane	

Nays, 12.

Banta	Dutcher	Newberry	Shaff
Bowman	Hale	Olson	Snook
Cessaz	Johnston	Scott	White

Absent or not voting, 5.

Darting	Kimberly	Reed	Smith
Haskell			

The amendment was adopted.

The bill was read for information.

Senator Wichman moved that the reading just had be considered the third reading, which motion prevailed.

Senator Wichman invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 32

Abben	Fulton	McIntosh	Romkey
Baird	Gilchrist	Mantz	Schmedika
Banta	Goodwin	Mead	Scott
Caldwell	Hale	Newberry	Shaff
Campbell	Hartman	Olson	Slosson
Cessna	Holdoegel	Perkins	Smith
Darting	Horchem	Price	White
Dutcher	Johnston	Reed	Wichman

Nays, 16.

Adams	Brookins	Nelson	Snook
Bergman	Browne	Rees	Stoddard
Bowman	Buser	Shane	Thurston
Brookhart	Ethell	Shinn	Tuck

Absent or not voting, 2.

Haskell	Kimberly
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Newberry moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Price moved that the Senate reconsider the vote by which House File No. 137 passed the Senate, which motion prevailed.

Senator Price moved that the Senate reconsider the vote by which House File No. 137 passed to its third reading, which motion prevailed.

Senator Price offered the following amendments and moved their adoption:

Amend section 9 to House File No. 137 as follows:

Strike out of the fifth and sixth lines the words and figures "twenty-

five thousand (25,000)" and insert in lieu thereof the words and figures "twenty thousand (20,000)".

Add as paragraph 3 the following:

"3. Twenty thousand (20,000) and under twenty-five thousand (25,000), sixteen hundred dollars (\$1600.00)."

Renumber the paragraphs following:

Amend section 26 of House File No. 137 by striking out the word "assistance" in the second and in the third lines, and insert in lieu thereof the word "assistants".

The amendments were adopted.

Senator Shaff offered the following amendment and moved its adoption:

Amend paragraph 12, section 1, chapter 1 of the substitute for code commission bill No. 137 by striking out following the word "city" in line 25 of said section, the words "with a population of five thousand or over" in line 26 of said section.

The amendment was lost.

The bill was read for information.

Senator Ethell moved that the reading just had be considered the third reading which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Fulton	Mead	Shane
Adams	Gilchrist	Newberry	Shinn
Baird	Goodwin	Olson	Slosson
Banta	Hale	Perkins	Smith
Bergman	Hartman	Price	Snook
Bowman	Holdoegel	Reed	Stoddard
Brooklins	Horchem	Romkey	Tuck
Caldwell	McIntosh	Schmedika	White
Dutcher	Mantz	Scott	Wichman

Nays, 3.

Browne	Buser	Nelson
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Absent or not voting, 11.

Brookhart	Darting	Johnston	Shaff
Campbell	Ethell	Kimberly	Thurston
Cessna	Haskell	Rees	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Scott moved that the Senate proceed with the call of the calendar today, and tomorrow morning turn the calendar over to the sifting committee, except special orders, committee bills and appropriation bills.

Senator Buser moved to amend the motion by making the time to turn the calendar to the sifting committee Wednesday morning instead of tomorrow.

Senator Buser raised the point of order that the present discussion was out of order.

The President held the point well taken.

Senator Buser's amendment was lost.

Senator Newberry moved to amend by making the time Friday morning and that the Senate hold night sessions tomorrow and Wednesday.

The amendment was lost.

Senator Scott's motion was adopted.

Senator Dutcher moved that the Senate hold an evening session tonight commencing at 7:30 o'clock to consider code revision bills which have passed the House.

The motion was lost.

Senator Price moved that the Senate have a night session on Thursday for the purpose of a memorial, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Buser, Senate File No. 344, a bill for an act to amend chapter two hundred seventy-five (275) of the acts of the Thirty-eighth General Assembly as amended by the acts of the Thirty-ninth General Assembly and to amend sections ten, thirteen, and eighteen (10, 13 and 18) of said chapter as amended by the acts of the Thirty-ninth General Assembly (C. C. sections 3053, 3056, and 3061) relating to the registration of motor vehicles and providing license fees therefor, having been withdrawn from the committee, was taken up and considered.

Senator Buser offered the following amendments and moved their adoption:

Amend by adding as paragraph three (3) of sub-section one (1), section one (1), the following:

"Provided that a motor vehicle, registered as a new vehicle later than July 1 of the preceding year, shall not be entitled to the reduction of the motor vehicle license fee herein provided until such vehicle has been registered one full year in addition to the part-time registration above described; also a used vehicle registered for the first time in the state of Iowa shall be entitled to such registration classification for deprecia-

tion under the provisions of this act as the first date of registration of such car in any state of the United States other than Iowa indicates."

Also amend by striking out section four (4) of the bill and re-numbering section five (5) as section four (4).

The amendments were adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking out the period at the end of section 2 and adding the following: "Providing that non-current models shall not be valued at a higher figure than the prevailing list price on the nearest corresponding current model as determined by the motor vehicle department."

The amendment was adopted.

Senator Smith offered the following amendment and moved its adoption:

Amend Senate File No. 344 as amended as follows: By striking therefrom all the title and substituting in lieu thereof the following: "An act to amend chapter two hundred seventy-five (275) acts of the Thirty-eighth General Assembly, (supplement to C. C. chap. 17, sec. 3053) relating to the manner of fixing the registration fee on motor vehicles."

Also by striking all following the enacting clause and substituting in lieu thereof the following: "Section 1. That chapter 275, section 10, acts of the Thirty-eighth General Assembly (supplement to C. C. chap. 17, sec. 3053) be amended by striking out the words "when new", in line nineteen (19) of said section.

"That chapter 275, section 13, acts of the Thirty-eighth General Assembly be amended by adding after the period following the word "year", in line seven (7) the following:

"When the retail list price of the car is reduced below the price on file, the manufacturer shall immediately notify the department which shall issue at once to county treasurers a supplementary list of classifications and on all subsequent registrations this list shall be the basis of fixing the registration fee. Provided further that the motor vehicle department shall have authority to fix the license fee on all makes and models of motor vehicles which are not now being furnished or upon which the statement from the factory can not be obtained."

Senator Price moved the previous question on the amendment, 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, 20.

Abben	Gilchrist	Newberry	Slosson
Adams	Goodwin	Olson	Smith
Banta	Holdoegel	Perkins	Stoddard
Brookins	Horchem	Scott	White
Dutcher	Mantz	Shaff	Wichman

Nays, 24.

Baird	Darting	McIntosh	Schmedika
Bergman	Ethell	Mead	Shane
Brookhart	Fulton	Nelson	Shinn
Buser	Hale	Price	Snook
Campbell	Hartman	Rees	Thurston
Cessna	Johnston	Romkey	Tuck

Absent or not voting, 6.

Bowman	Caldwell	Kimberly
Browne	Haskell	Reed

The amendment was lost.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by striking out lines 12, 13, 14 and 15 of sub-division 1 of section 1 and by inserting in lieu thereof the following: "The price of each car, after the first year, shall be reduced ten per cent each year until reduced to thirty per cent of the first list price and be taxed one per cent on such price and forty cents per hundred pounds, and after the price is reduced to thirty per cent of the original it shall be taxed one per cent on said price while the car is licensed and forty cents per hundred.

The amendment was adopted.

President Pro. Tem. Price took the chair at 4:20 p. m.

The bill was read for information.

Senator Buser moved that the reading just had be considered the third reading, which motion prevailed.

Senator Buser invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Cessna	Horchem	Shaff
Adams	Darting	McIntosh	Shane
Baird	Ethell	Mead	Shinn
Bergman	Fulton	Nelson	Slosson
Brookhart	Gilchrist	Perkins	Snook
Brookins	Goodwin	Price	Stoddard
Browne	Hale	Rees	Thurston
Buser	Hartman	Romkey	Tuck
Campbell	Holdoegel	Schmedika	

Nays, 10.

Banta
Dutcher
Johnston

Mantz
Newberry
Olson

Scott
Smith
White

Wichman

Absent or not voting, 5.

Bowman
Caldwell

Haskell

Kimberly

Reed

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Buser moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Brookins, Senate File No. 702, a bill for an act to amend, revise and codify sections eleven hundred seventy-seven (1177), eleven hundred eighty-four (1184), of the compiled code, and sections eleven hundred seventy-seven-a1 (1177-a1), eleven hundred seventy-seven-a2 (1177-a2), and eleven hundred eighty-two-a1 (1182-a1) of the supplement to the compiled code, relating to a state board of conservation, providing for its powers and duties and defining its jurisdiction; providing for supervisory power in the executive council, a committee bill, was taken up and considered.

Senator Fulton offered the following amendments and moved their adoption:

Amend Senate File No. 702 as follows:

1. By inserting in section 7, line 2, after the word "public" the word "state".

2. By inserting as section 8 the following: The board of conservation, by and with the written consent of the executive council, may accept gifts of land or other property, or the use of lands or other property for a term of years, and improve and use the same as public state parks. And wherever such gifts are so made the conditions going therewith shall be entered in writing with and as part of the record of the title by which the state takes the lands, and shall be inscribed upon any chart, map or description of said park where the condition is made by the grantor in lieu of money as a consideration paid by the state. If the lands transferred to the state as a gift, or if lands purchased in whole or in part by the state from moneys given for that purpose, shall be abandoned or sold and not used for state park purposes, then the donor shall reclaim the land or funds donated by filing his request in writing with the executive council within six months of the time of the abandonment or sale by the state of such lands, but no interest or other charge shall be demanded of or paid by the state.

3. By renumbering all sections following the inserted section.
The amendments were adopted.

Senator Newberry offered the following amendment and moved its adoption:

Amend Senate File No. 702 by striking out section thirteen (13) and by substituting in lieu thereof the following:

"Sec. 13. The board may, subject to the approval of the executive council, enter into an agreement or arrangement with the board of supervisors of any county or the council of any city or town whereby such county, city or town shall undertake the care and maintenance of any state park. Counties, cities and towns are authorized to maintain such parks and to pay the expense thereof from the general fund of such county, city or town as the case may be."

The amendment was adopted.

By unanimous consent on request of Senator Gilchrist the word "the" was stricken from line 4 of section 3 and the word "and" inserted in lieu thereof.

By unanimous consent of request of Senator Newberry the word "of" was stricken from line 3 of section 10 before the last word thereof and the word "by" inserted in lieu thereof.

The bill was read for information.

Senator Newberry moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Abben	Dutcher	McIntosh	Shaff
Adams	Fulton	Mantz	Slosson
Baird	Gilchrist	Newberry	Smith
Banta	Goodwin	Perkins	Stoddard
Brookhart	Hale	Price	White
Brookins	Holdoegel	Reed	Wichman
Darting	Horchem	Scott	

Nays, 13.

Bergman	Ethell	Rees	Thurston
Buser	Johnston	Shinn	Tuck
Campbell	Mead	Snook	
Cessna	Nelson		

Absent or not voting, 10.

Bowman	Hartman	Olson	Shane
Browne	Haskell	Romkey	
Caldwell	Kimberly	Schmedika	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Newberry moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Schmedika, Senate File No. 739, a bill for an act to repeal section fourteen hundred three (1403) of the code, and section fourteen hundred thirteen (1413) of the code as amended by chapter sixty-six (66), acts Thirty-ninth (39) General Assembly, and to enact substitutes therefor, relating to the payment of taxes and penalties thereon, was taken up and considered.

Senator Schmedika moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Smith moved that the vote by which the bill passed to its third reading be reconsidered, which motion prevailed.

By unanimous consent on request of Senator Newberry the head notes were stricken from line 3 of section 1 and from line 4 of section 2.

Senator Dutcher offered the following amendment and moved its adoption:

Amend by striking the words "one-half of" from line 7 of section 2 and from line 13 of section 2.

The amendment was adopted.

On motion of Senator Ethell Senate File No. 739 was made a special order for Tuesday, April 10th, at 1:30 p. m.

SENATE RECEDES FROM AMENDMENT

Senator Brookins moved that the Senate recede from its amendment to House File No. 629, which motion prevailed.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the senate, Senate Files Nos. 499, 636, 703 and 735.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist from the committee on enrolled bills submitted the following report.

MR. PRESIDENT: Your committee on enrolled bills respectfully reports it has on this 9th day of April, 1923, sent to the Governor for his approval, Senate Files Nos. 499, 636, 703 and 735.

F. C. GILCHRIST, *Chairman.*

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files 413, 421, 427 and 668.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I hereby move that the vote by which House File No. 563 failed to pass the Senate be reconsidered.

H. C. ADAMS.

REPORT OF JOINT CODE REVISION COMMITTEE

To the Governor of Iowa:

The joint code revision committee of the Fortieth General Assembly, pursuant to the report of the special committee on code revision which was made to the legislature on Jan. 11th, begs leave to report that the status of code revision in this General Assembly is shown by the following:

The following code commission bills have been passed by the Senate and House and approved by you: 1, 16, 36, 59, 37, 38, 48, 56, 70, 73, 79, 80, 81, 83, 96, 103, 106, 113, 120, 131, 132, 136, 141, 146, 147, 150, 152, 157, 159, 161, 162, 181, 204, 206, 223, 225, 226, 232, 235, 243, 244, 248, 249, 259. Total, 44.

The following code commission bills have been passed by the Senate and no action has been taken by the House: 5, 11, 67, 95, 140, 143, 255. Total, 7.

The following code commission bills have been passed by the House and no action has been taken by the Senate: 2, 10, 30, 52, 57, 58, 61, 75, 78, 82, 98, 104, 116, 122, 126, 128, 148, 156, 160, 175, 194, 195, 196, 202, 210, 213, 228, 234, 252. Total, 29.

The following code commission bill has been passed by the Senate and House but not yet approved by you: 137.

The following code commission bill was passed by the House, passed by the Senate with amendment and the House refused to concur in the amendment: 224.

The following code commission bill was passed by the Senate, passed by the House with amendment and the Senate refused to concur in the amendment: 227.

The following code commission bill has been passed by the Senate and is now pending on motion to reconsider: 94.

The following code commission bills have been rereferred to committees and are now pending therein: 39, 166, 222. Total, 3.

The following code commission bills have been recommended by their 174, 201, 203, 208, 233, 239, 247, 256. Total, 18.

The following code commission bill has been returned to committee: 43.

The following code commission bills have been passed by the House and are now on the Senate Calendar: 2, 57, 58, 61, 78, 82, 116, 122, 148, 156, 160, 175, 194, 196, 202, 210, 213, 228, 234. Total, 19.

Senate bills on Senate calendar: 3. Total, 1.

The following code commission bills have been passed by the Senate and are now on the House Calendar: 11, 95, 143. Total, 3.

The following code commission bills have not been acted upon either by the Senate, House or committees thereof: 3, 4, 6, 7, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 34, 35, 40, 41, 42, 44, 45, 46, 47, 50, 51, 53, 54, 55, 62, 65, 66, 68, 69, 71, 74, 77, 84, 85, 87, 88, 89, 90, 91, 92, 97, 99, 100, 102, 105, 107, 108, 109, 110, 111, 112, 114, 117, 118, 119, 121, 123, 125, 127, 129, 130, 133, 134, 138, 142, 144, 145, 151, 153, 154, 155, 158, 163, 164, 165, 167, 168, 169, 170, 171, 172, 173, 176, 177, 178, 179, 180, 182, 183, 185, 186, 187, 188, 189, 190, 191, 192, 193, 197, 198, 200, 205, 207, 211, 212, 214, 215, 218, 220, 221, 229, 230, 231, 236, 237, 241, 245, 246, 250, 251, 253, 254, 257, 258, 260, 261, 262. Total, 138.

Said committee further begs leave to report that in its judgment the work of code revision, together with general legislation, cannot be completed at the regular session of the Fortieth General Assembly, which will be a session of more than usual length.

Your committee further begs leave to suggest that it will be glad to confer with you at your pleasure upon further procedure if it is your desire.

CHARLES M. DUTCHER, *Chairman*.

The Journal of April 7th was corrected and approved.

On motion of Senator Brookhart the Senate adjourned until 9 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, April 10, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. LeRoy C. Cooley, pastor of the First Presbyterian church of Winterset, Iowa.

On motion of Senator Shinn rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

Senator Mantz presented a petition from Homestead 648, Brotherhood of American Yeomen, protesting House File 544, relative to fraternal beneficiary societies.

Referred to sifting committee.

RESOLUTION

Senator Buser offered the following resolution:

Whereas, The State Senate of Iowa has seriously important duties to perform the few remaining days of the session of the 40th General Assembly, and

Whereas, It is vitally necessary that there should be no confusion and that the membership of this body should not be annoyed or their attention distracted from their duties, and

Whereas, The presence of innumerable lobbyists who insist upon accosting and annoying the membership of this body in the cloak room, at their seats, and upon the floor of the Senate Chamber, seriously interferes with the performance of the duties of this body.

Therefore, Be It Resolved by the State Senate of Iowa, That all lobbyists shall be excluded from the Senate Chamber for the remainder of the session of the 40th General Assembly and that the sergeant-at-arms of the state Senate is hereby directed to strictly enforce the provisions of this resolution.

The resolution was laid over under the rules.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 406, 407, 431, 491, 534, 535, 569 and 644.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

On motion of Senator Smith Senate Files Nos. 713 and 714 were made a special order for Friday at 10:30 a. m.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 95, a bill for an act to amend, revise and codify sections two thousand four hundred thirty-eight (2438) and two thousand four hundred thirty-nine (2439) of the compiled code of Iowa, relating to the school for the blind.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 143, a bill for an act to amend, revise and codify chapter fifteen (15) of title twelve (12) of the compiled code of Iowa, relating to county aid for the blind.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 67, a bill for an act to amend, revise and codify sections sixteen hundred ninety-five (1695), seventeen hundred (1700), seventeen hundred one (1701), seventeen hundred five (1705), seventeen hundred eleven (1711) of the compiled code of Iowa, and sections sixteen hundred ninety-three (1693), sixteen hundred ninety-four (1694), sixteen hundred ninety-eight-a-2 (1698-a2) and sixteen hundred ninety-eight-a-three (1698-a3) of the supplement to said code, relating to the horticultural society, the horticultural exposition, and fruit tree and forest reservations.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 5, a bill for an act to amend, revise, and codify sections fifty-six (56), fifty-seven (57), fifty-nine (59), sixty (60), and sixty-one (61) of the compiled code of Iowa, relating to the publication of the acts of the General Assembly.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 256, a bill for an act to amend, revise, and codify sections sixty-six hundred forty-five (6645) and sixty-six hundred seventy-one (6671) of the compiled code of Iowa, and sections sixty-six hundred fifty-two (6652), seventy-eight hundred forty-eight (7848), and seventy-

eight hundred forty-eight-a one (7848-a1) of the supplement to said code, relating to the appointment and bonds of guardians, and to the sale or mortgage of the property of persons under guardianship, and of persons deceased.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 239, a bill for an act to amend, revise and codify section seven thousand nine hundred ten (7910) of the compiled code of Iowa, relating to distribution of intestate property.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 60, a bill for an act to amend, revise and codify chapter twenty-two (22) of title five (5) of the compiled code of Iowa, relating to certified public accountants.

Also, that the House has passed the following resolution in which the concurrence of the Senate is asked:

House Joint Resolution No. 8 authorizing the secretary of state to make House File No. 356, passed by the Fortieth General Assembly, effective immediately by publication.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 256, a bill for an act to amend, revise, and codify sections sixty-six hundred forty-five (6645) and sixty-six hundred seventy-one (6671) of the compiled code of Iowa, and sections sixty-six hundred fifty-two (6652), seventy-eight hundred forty-eight (7848), and seventy-eight hundred forty-eight-a one (7848-a1) of the supplement to said code, relating to the appointment and bonds of guardians, and to the sale or mortgage of the property of persons under guardianship, and of persons deceased.

Read first and second times and referred to sifting committee.

House File No. 239, a bill for an act to amend, revise and codify section seven thousand nine hundred ten (7910) of the compiled code of Iowa, relating to distribution of intestate property.

Read first and second times and referred to sifting committee.

House File No. 60, a bill for an act to amend, revise and codify chapter twenty-two (22) of title five (5) of the compiled code of Iowa, relating to certified public accountants.

Read first and second times and referred to sifting committee.

House Joint Resolution No. 8, a resolution authorizing the secretary of state to make House File No. 356, passed by the

Fortieth General Assembly, effective immediately by publication.

Read first and second time and referred to sifting committee.

THIRD READING OF BILLS

On motion of Senator McIntosh, House File No. 738, a bill for an act to legalize all elections by the town of Kent, all acts and resolutions of the council of the town of Kent during the period from the incorporation of said town in nineteen hundred three (1903) to and including the year nineteen hundred seven (1907), with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator McIntosh moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Abben	Ethell	Nelson	Shaff
Bowman	Fulton	Newberry	Shinn
Brookins	Gilchrist	Olson	Slosson
Browne	Goodwin	Reed	Snook
Buser	Hartman	Rees	Stoddard
Caldwell	Johnston	Romkey	Thurston
Cessna	McIntosh	Schmedika	Wichman
Darting	Mantz	Scott	

Nays, none.

Absent or not voting, 19.

Adams	Campbell	Horchem	Shane
Baird	Dutcher	Kimberly	Smith
Banta	Hale	Mead	Tuck
Bergman	Haskell	Perkins	White
Brookhart	Holdoegel	Price	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Nelson House File No. 582, a bill for an act to provide for the issuance of city hall bonds in certain cities, and to authorize a tax levy to pay said bonds and interest thereon, being an act amendatory of sections seven hundred forty-one-d (741-d) to seven hundred forty-one-h (741-h), inclusive, of the supplemental supplement to the code, 1915, as amended by chapter one hundred eighty-two (182), acts Thirty-seventh (37) General Assembly, with report of committee recom-

mending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Nelson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Darting	Newberry	Smith
Baird	Ethell	Olson	Snook
Banta	Fulton	Reed	Stoddard
Bergman	Gilchrist	Rees	Thurston
Brookins	Goodwin	Romkey	Tuck
Browne	Hartman	Schmedika	White
Buser	Johnston	Scott	Wichman
Caldwell	McIntosh	Shane	
Campbell	Mantz	Shinn	
Cessna	Nelson	Slosson	

Nays, none.

Absent or not voting, 13.

Adams	Hale	Kimberly	Shaff
Bowman	Haskell	Mead	
Brookhart	Holdoegel	Perkins	
Dutcher	Horchem	Price	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Goodwin, House File No. 637, a bill for an act to legalize the acts and proceedings in relation to drainage district number twenty-six (26), Polk county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Browne	Gilchrist	Mantz
Adams	Buser	Goodwin	Mead
Baird	Caldwell	Hale	Newberry
Banta	Campbell	Holdoegel	Reed
Bergman	Cessna	Horchem	Rees
Brookhart	Ethell	Johnston	Romkey
Brookins	Fulton	McIntosh	Schmedika

Scott
Shaff
Shane

Shinn
Slosson
Smith

Snook
Stoddard
Thurston

Tuck
Wichman

Nays, none.

Absent or not voting, 11.

Bowman
Darting
Dutcher

Hartman
Haskell
Kimberly

Nelson
Olson
Perkins

Price
White

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Goodwin House File No. 638, a bill for an act to legalize the acts and proceedings in relation to drainage district No. 29, Polk county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben
Baird
Banta
Bergman
Bowman
Brookhart
Brookins
Browne
Buser

Caldwell
Campbell
Cessna
Fulton
Gilchrist
Goodwin
Holdoegel
Horchem
McIntosh

Mantz
Mead
Newberry
Olson
Price
Reed
Schmedika
Shaff
Shane

Shinn
Slosson
Smith
Snook
Thurston
Tuck
Wichman

Nays, none.

Absent or not voting, 16.

Adams
Darting
Dutcher
Ethell

Hale
Hartman
Haskell
Johnston

Kimberly
Nelson
Perkins
Rees

Romkey
Scott
Stoddard
White

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Baird House File No. 729, a bill for an act to legalize an election in the consolidated independent school district of Carson, in the county of Pottawattamie, state of Iowa, on the proposition of issuing bonds and to legalize all acts and proceedings of the board of directors in respect of the

issuance and sale of 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 Baird moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Ethell	Mead	Shane
Adams	Fulton	Nelson	Shinn
Baird	Gilchrist	Newberry	Slosson
Banta	Goodwin	Olson	Smith
Bowman	Hale	Perkins	Snook
Brookhart	Hartman	Reed	Thurston
Browne	Holdoegel	Rees	Wichman
Buser	Johnston	Romkey	
Caldwell	McIntosh	Schmedika	
Campbell	Mantz	Shaft	

Nays, none.

Absent or not voting, 13.

Bergman	Dutcher	Price	White
Brookins	Haskell	Scott	
Cessna	Horchem	Stoddard	
Darting	Kimberly	Tuck	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Smith Senate File No. 730, a bill for an act to amend section thirteen hundred sixty-five (1365) of the code 1897 (C. C. 4594) and section thirteen hundred sixty-six (1366) of the supplement to the code 1913 as amended by chapter three hundred eighty-five (385) of the acts of the Thirty-eighth (38) General Assembly and chapters ninety-two (92) and two hundred sixty-eight (268) of the acts of the Thirty-ninth (39) General Assembly (C. C. 4595), relating to the assessment of property and to the books of the assessor, a committee bill, was taken up and considered.

Senator Smith offered the following amendment and moved its adoption:

Amend by striking the word and figure "four (4)" from section 2 line 9, and inserting in lieu thereof the word and figure "two (2)".

The amendment was adopted.

Senator Buser raised the point of order that this bill could not be considered at this time as it was given to the sifting committee.

The President held the point not well taken as committee bills were excepted.

The bill was read for information.

Senator Smith moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Fulton	Newberry	Slosson
Adams	Gilchrist	Olson	Smith
Baird	Goodwin	Reed	Snook
Banta	Hale	Rees	Stoddard
Bowman	Hartman	Romkey	Thurston
Caldwell	Horchem	Schmedika	Tuck
Campbell	Johnston	Shaff	White
Darting	McIntosh	Shane	Wichman
Ethell	Mantz	Shinn	

Nays, none.

Absent or not voting, 15.

Bergman	Buser	Holdoegel	Perkins
Brookhart	Cessna	Kimberly	Price
Brookins	Dutcher	Mead	Scott
Browne	Haskell	Nelson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Thurston, Senate File No. 536, a bill for an act to make an appropriation for the purpose of indemnifying Joe Banoch for damages occasioned by reason of sustaining a loss of three fingers while engaged in performing his usual and ordinary duties in the state reformatory at Anamosa, 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 from line two (2) section one (1) the words and figures "one thousand dollars (\$1000)", and inserting in lieu thereof the words and figures "eight hundred fifty-five dollars (\$855.00).

The bill was read for information.

Senator Thurston moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 44.

Abben	Campbell	Johnston	Shaff
Adams	Cessna	McIntosh	Shane
Baird	Darting	Mantz	Shinn
Banta	Ethell	Nelson	Slosson
Bergman	Fulton	Newberry	Smith
Bowman	Gilchrist	Olson	Snook
Brookhart	Goodwin	Perkins	Stoddard
Brookins	Hale	Price	Thurston
Browne	Hartman	Reed	Tuck
Buser	Holdoegel	Romkey	White
Caldwell	Horchem	Schmedika	Wichman

Nays, none.

Absent or not voting, 6.

Dutcher	Kimberly	Rees
Haskell	Mead	Scott

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Price, Senate File No. 742, a bill for an act to legalize the acts and proceedings of the board of supervisors and other officers of the county of Marion, in the state of Iowa, in relation to Sugar Creek Drainage District Number One, Marion county, Iowa, a committee bill, was taken up and considered.

The bill was read for information.

Senator Price moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Caldwell	Horchem	Romkey
Adams	Campbell	Johnston	Shaff
Baird	Darting	McIntosh	Shane
Banta	Ethell	Mantz	Snook
Bergman	Fulton	Mead	Stoddard
Bowman	Gilchrist	Nelson	Thurston
Brookhart	Goodwin	Newberry	Tuck
Brookins	Hale	Olson	White
Browne	Hartman	Perkins	Wichman
Buser	Holdoegel	Price	

Nays, none.

Absent or not voting, 11.

Cessna	Kimberly	Schmedika	Slosson
Dutcher	Reed	Scott	Smith
Haskell	Rees	Shinn	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Fulton, Senate File No. 446, a bill for an act to compensate George A. Gardner for injuries received while assisting in showing a dairy herd of the Mount Pleasant State Hospital at the Jefferson County Fair, and for loss and damages resulting therefrom, including hospital and medical expenses, 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 adding as section two (2) of the bill the following: "That Senator C. J. Fulton is hereby appointed trustee of the fund and that he is authorized and directed to expend the money in such manner as in his judgment shall be to the best interests of the claimant."

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by inserting in line 7 after the word "to" the words "Senator C. J. Fulton, as trustee for".

The amendment was adopted.

The bill was read for information.

Senator Fulton moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Abben	Caldwell	Hartman	Schmedika
Adams	Campbell	Horchem	Scott
Baird	Cessna	Johnston	Shaff
Banta	Darting	McIntosh	Shane
Bergman	Dutcher	Mantz	Shinn
Bowman	Ethell	Mead	Slosson
Brookhart	Fulton	Newberry	Stoddard
Brookins	Gilchrist	Olson	Thurston
Browne	Goodwin	Perkins	Tuck
Buser	Hale	Price	Wichman

Nays, none.

Absent or not voting, 10.

Haskell	Nelson	Romkey	White
Holdoegel	Reed	Smith	
Kimberly	Rees	Snook	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Stoddard, Senate File No. 710, a bill for an act to provide for a portrait of the Honorable Jonathan Prentiss Dolliver and making an appropriation therefor, a committee bill, was taken up and considered.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Dutcher	Mantz	Shaff
Adams	Ethell	Mead	Slosson
Baird	Fulton	Newberry	Snook
Bergman	Gilchrist	Olson	Stoddard
Bowman	Goodwin	Perkins	Thurston
Brookhart	Hale	Price	Tuck
Brookins	Hartman	Reed	Wichman
Browne	Holdoegel	Romkey	
Caldwell	Horchem	Schmedika	
Darling	McIntosh	Scott	

Nays, none.

Absent or not voting, 13.

Banta	Haskell	Rees	White
Buser	Johnston	Shane	
Campbell	Kimberly	Shinn	
Cessna	Nelson	Smith	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Perkins Senate File No. 468, a bill for an act to appropriate sufficient funds to care for drainage assessments in connection with the drainage of Goose lake, Greene county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Perkins moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Banta	Brookhart	Caldwell
Adams	Bergman	Brookins	Darling
Baird	Bowman	Buser	Fulton
Gilchrist	Johnston	Reed	Slosson
Goodwin	Mantz	Romkey	Snook
Hale	Mead	Schmedika	Stoddard
Hartman	Newberry	Scott	Tuck
Holdoegel	Olson	Shaff	Wichman
Horchem	Perkins	Shane	

Nays, 2.

Browne McIntosh
Absent or not voting, 13.

Campbell	Haskell	Rees	White
Cessna	Kimberly	Shinn	
Dutcher	Nelson	Smith	
Ethell	Price	Thurston	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Adams, House File No. 510, a bill for an act to appropriate twelve thousand three hundred seventy-nine and ninety-six hundredths dollars (\$12,379.96) for the purpose of paying drainage assessments against state owned land in connection with the drainage of East Swan Lake, 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 reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Caldwell	Mantz	Shane
Adams	Darting	Mead	Slosson
Baird	Gilchrist	Nelson	Smith
Banta	Goodwin	Newberry	Snook
Bergman	Hale	Olson	Stoddard
Bowman	Hartman	Perkins	Thurston
Brookhart	Holdoegel	Reed	Tuck
Brookins	Horchem	Scott	White
Buser	Johnston	Shaff	Wichman

Nays, none.

Absent or not voting, 14.

Browne	Ethell	McIntosh	Schmedika
Campbell	Fulton	Price	Shinn
Cessna	Haskell	Rees	
Dutcher	Kimberly	Romkey	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF BILLS

Senate File No. 743, by sifting committee, a bill for an act to legalize the issuance of funding bonds of the city of Waterloo, Iowa, dated the 1st day of January, 1923, in the sum of fifty thousand dollars (\$50,000.00) issued in exchange for a like amount of indebtedness of the city of Waterloo, Iowa, as evidenced by warrants.

Read first and second times.

THIRD READING OF BILLS

On motion of Senator Bowman Senate File No. 743, a bill for an act to legalize the issuance of funding bonds of the city of Waterloo, Iowa, dated the 1st day of January, 1923, in the sum of fifty thousand dollars (\$50,000.00), issued in exchange for a like amount of indebtedness of the city of Waterloo, Iowa, as evidenced by warrants, a committee bill, was taken up and considered.

The bill was read for information.

Senator Bowman moved that the rules be suspended whereby no bill can be read the second and third times the same day and that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Darting	Mead	Slosson
Adams	Ethell	Nelson	Snook
Baird	Gilchrist	Newberry	Stoddard
Banta	Goodwin	Olson	Thurston
Bergman	Hale	Price	Tuck
Bowman	Hartman	Rees	White
Brookins	Horchem	Schmedika	Wichman
Browne	Johnston	Scott	
Buser	McIntosh	Shane	
Caldwell	Mantz	Shinn	

Nays, none.

Absent or not voting, 13.

Brookhart	Fulton	Perkins	Smith
Campbell	Haskell	Reed	
Cessna	Holdoegel	Romkey	
Dutcher	Kimberly	Shaff	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Stoddard House File No. 789, a bill for an act to amend section two thousand five hundred seven (2507), supplemental supplement to the code, 1915, as amended by chapter three hundred twenty-nine (329), acts of the Thirty-eighth General Assembly, as amended by chapter two hundred nine (209), acts of the Thirty-ninth General Assembly (S. C. C. 903), relating to appropriation for expenses of the oil inspection department, 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 reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Cessna	Mantz	Shane
Adams	Darting	Nelson	Slosson
Baird	Fulton	Newberry	Snook
Banta	Gilchrist	Olson	Stoddard
Bergman	Goodwin	Perkins	Thurston
Bowman	Hale	Rees	White
Brookhart	Hartman	Schmedika	Wichman
Browne	Horchem	Scott	
Caldwell	McIntosh	Shaff	

Nays, 1.

Shinn

Absent or not voting, 15.

Brookins	Ethell	Kimberly	Romkey
Buser	Haskell	Mead	Smith
Campbell	Holdoegel	Price	Tuck
Dutcher	Johnston	Reed	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mantz, Senate File No. 451, a bill for an act to provide for the payment of an occupation or privilege tax upon the business of operating coal mines, fixing penalties for the failure to make reports and non-payment of such tax and providing for the expenditure of the money collected, having been withdrawn from the committee, was taken up and considered.

Senator Buser offered the following amendments and moved their adoption:

Amend by inserting wherever the words "coal mine" appear in the bill between the word "coal" and "mine" the words "gypsum and limestone". Also amend by inserting the words "gypsum and limestone" after the word "coal" in line 3 of section 4.

The amendment was lost.

The bill was read for information.

Senator Mantz moved that the reading just had be considered the third reading, which motion prevailed.

Senator Brookhart invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 13.

Bowman	Ethell	Olson	Tuck
Brookhart	Johnston	Price	
Browne	Mantz	Schmedlka	
Buser	Nelson	Thurston	

Nays, 27.

Abben	Cessna	Horchem	Shinn
Adams	Darting	McIntosh	Slosson
Baird	Fulton	Mead	Snook
Banta	Gilchrist	Newberry	Stoddard
Bergman	Goodwin	Scott	White
Brookins	Hale	Schaff	Wichman
Caldwell	Hartman	Shane	

Absent or not voting, 10.

Campbell	Holdoegel	Reed	Smith
Dutcher	Kimberly	Rees	
Haskell	Perkins	Romkey	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Fulton, Senate File No. 410, a bill for an act to repeal chapter two (2) a, title VI, supplement to the code, 1913, as amended by chapter two hundred fifty-three (253), acts of the Thirty-eighth (38th) General Assembly, and by chapter seventy-five (75), acts of the Thirty-ninth (39th) General Assembly; section nine (9) of chapter eighty-six (86), acts of the Thirty-eighth (38th) General Assembly (C. C. chapter 2, title IV); sections ten hundred ninety-eight (1098), eleven hundred (1100), eleven hundred two (1102), eleven hundred three (1103), of the code, 1897, section ten hundred ninety-nine (1099) of the code, 1897, as amended by section one (1) of chapter eighty-six (86), acts of the Thirty-eighth (38th) General Assembly; section eleven hundred four (1104) of the supplemental supplement to the code, 1915, section eleven hundred one (1101) of the supplemental supplement to the code, 1915, as amended by chapter one hundred (100), acts of the Thirty-eighth (38th) General Assembly (C. C. chapter 3, title IV); and chapter sixty-three (63), acts of the Thirty-eighth (38th) General Assembly (C. C. chapter 4, title IV); and in lieu thereof to provide for nominations by primary elections, having been withdrawn from the committee, was taken up and considered.

President Pro Tem Price took the chair at 12:10.

Senator Campbell moved the previous question, which motion prevailed and the previous question was ordered.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking the words "a member" from line 3 of section 4, and by inserting in lieu thereof the words "two members" and by adding at the end of said line the following: "one of whom shall be a woman and the other a man".

Also amend by striking the word and figure "one (1)" from line 3 of section 28 and by inserting in lieu thereof the words "one man and one woman".

Also amend by striking from section 29 and section 40 the word "member" wherever it occurs and inserting in each instance in lieu thereof the word "members".

Also amend by striking from line 6 of section 34 the word "member" and by inserting in lieu thereof the words "two members" and by inserting the word "each" immediately following the word "shall" as it appears in said line.

Also amend by striking the word "candidate" from line 24 of section 40 and by inserting in lieu thereof the word "candidates" and by inserting after the word "committeeman" in line 27 of section 40 the words "and committeewoman".

Senator Campbell raised the point of order that the previous question had been ordered and the amendment could not be introduced.

President Pro Tem Price held the point of order not well taken.

The amendment was lost.

Senator Holdoegel moved that the Senate adjourn until 1:30 p. m., which motion was lost.

The bill was read for information.

Senator Fulton moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 10.

Adams	Brookins	Mantz	Shaft
Banta	Fulton	Perkins	
Bergman	Hartman	Price	

Nays, 21.

Abben	Cessna	Newberry	Snook
Baird	Gilchrist	Romkey	White
Bowman	Goodwin	Schmedika	Wichman
Brookhart	Hale	Shane	
Browne	Holdoegel	Shinn	
Campbell	Horchem	Slosson	

Absent or not voting, 19.

Buser	Haskell	Nelson	Smith
Caldwell	Johnston	Olson	Stoddard
Darting	Kimberly	Reed	Thurston
Dutcher	McIntosh	Rees	Tuck
Ethell	Mead	Scott	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had on April 9 signed Senate Files Nos. 703, 499, 636, and 735.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files Nos. 406, 407, 431, 491, 534, 535, 569, and 644, and House Files Nos. 413, 421, 427, and 668.

The resignation of Zuba Snyder as Committee Clerk was tendered and accepted.

On motion of Senator Schmedika the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

REPORT OF SIFTING COMMITTEE

April 10, 1923.

MR. PRESIDENT: Your sifting committee to whom was referred the following bills, beg leave to report they have had same under consideration and recommend the same do pass: House Files Nos. 287, 298, 496, 522, 573, 695, 268, 501 and 557, and Joint Resolution No. 6, and Senate Files Nos. 448, 615, 655, 659 and 674.

GEO. B. PERKINS, *Chairman.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 303, 449 and 517.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files Nos. 468, 480, 645, 670, 748, 803, 808, 584, 639 and 739, and House Joint Resolution No. 7.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 468, 480, 645, 670, 748, 803, 808, 584, 639, 739, and House Joint Resolution No. 7 and Senate Files Nos. 303, 449, and 517.

HOUSE AMENDMENTS CONSIDERED

Senator Browne called up for consideration Senate File No. 67 amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking the words and figures "four thousand dollars (\$4,000.00)" in line three (3) of section two (2) and inserting in lieu thereof the words and figures "thirty-seven hundred and fifty dollars (\$3750.00)"; and by striking the words and figures "sixteen thousand dollars (\$16,000.00)" in line three (3) of section three (3) and inserting in lieu thereof the words and figures "fourteen thousand dollars (\$14,000.00)".

Senator Bowman raised the point of order that the Senate could not consider code bills, under the rules, while there was anything else to be considered.

The President held the point not well taken.

Senator Browne invoked rule 8.

On the question "Shall the Senate concur?" the vote was:

Ayes, 27.

Abben	Ethell	McIntosh	Shane
Baird	Fulton	Nelson	Shinn
Brookhart	Goodwin	Perkins	Slosson
Buser	Hale	Price	Smith
Campbell	Hartman	Rees	Snook
Cessna	Horchem	Romkey	Thurston
Dutcher	Johnston	Schmedika	

Nays, 14.

Adams	Browne	Mead	Stoddard
Banta	Caldwell	Newberry	Wichman
Bowman	Darting	Scott	
Brookins	Gilchrist	Shaw	

Absent or not voting, 9.

Bergman	Holdoegel	Mantz	Reed
Haskell	Kimberly	Olson	Tuck
			White

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Dutcher called up for consideration Senate File No. 5 amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File No. 5 by adding thereto as section 7 the following:

Sec. 7. *Publication Clause.*

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 in Des Moines, Iowa.

On the question "Shall the Senate concur?" the vote was:

Ayes, 33.

Abben	Dutcher	Johnston	Scott
Adams	Ethell	McIntosh	Shaff
Banta	Fulton	Mead	Shinn
Brookhart	Gilchrist	Nelson	Slosson
Brookins	Goodwin	Newberry	Smith
Buser	Hartman	Price	Snook
Caldwell	Holdoegel	Romkey	Stoddard
Cessna	Horchem	Schmedika	Thurston
			Wichman

Nays, none.

Absent or not voting, 17.

Baird	Darting	Olson	Tuck
Bergman	Hale	Perkins	White
Bowman	Haskell	Reed	
Browne	Kimberly	Rees	
Campbell	Mantz	Shane	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Dutcher called up for consideration Senate File No. 143, amended by the House, and moved that the Senate concur in the following amendments:

Amend section two (2) by adding after the word "physician" in line two (2) the word "who", and striking out all of lines three (3), four (4), five (5) and line six (6) up to the word "applicants" in line six (6) and adding before the word "applicants" in line six (6) the words "shall examine."

On the question "Shall the Senate concur?" the vote was:

Ayes, 27.

Abben	Dutcher	Johnston	Schmedika
Adams	Ethell	McIntosh	Slosson
Banta	Gilchrist	Mead	Smith
Brookhart	Goodwin	Nelson	Snook
Brookins	Hartman	Newberry	Stoddard
Caldwell	Holdoegel	Rees	Wichman
Cessna	Horchem	Scott	

Nays, none.

Absent or not voting, 23.

Baird	Darting	Olson	Shane
Bergman	Fulton	Perkins	Shinn
Bowman	Hale	Price	Thurston
Browne	Haskell	Reed	Tuck
Buser	Kimberly	Romkey	White
Campbell	Mantz	Shaff	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Hartman, House Joint Resolution No. 8, authorizing the Secretary of State to make House File No. 356, passed by the Fortieth General Assembly, effective immediately by publication, was taken up and considered.

The bill was read for information.

Senator Hartman moved that the rules whereby no bill can be read the second and third time the same day, be suspended and that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Darting	Johnston	Shaff
Adams	Dutcher	McIntosh	Shinn
Banta	Ethell	Mead	Smith
Bowman	Fulton	Nelson	Snook
Brookart	Gilchrist	Newberry	Stoddard
Brookins	Goodwin	Price	Thurston
Buser	Hartman	Rees	Tuck
Caldwell	Holdoegel	Schmedika	Wichman
Cessna	Horchem	Scott	

Nays, none.

Absent or not voting, 15.

Baird	Hale	Olson	Shane
Bergman	Haskell	Perkins	Slosson
Browne	Kimberly	Reed	White
Campbell	Mantz	Romkey	

The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

REPORTS OF COMMITTEE

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to whom was referred House File No. 604, a bill for an act to make an appropriation

for the payment of the expenses incurred in the election contest of Rumley vs. Springer, beg leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to whom was referred Senate File No. 668, a bill for an act making an appropriation to compensate Dr. John W. Martin for professional services rendered to C. W. Adams while a member of the National Guard, beg leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to whom was referred Senate File No. 537, a bill for an act to amend chapter 290, acts of the 37th General Assembly, as amended by chapter 337, acts of the 38th General Assembly, relating to vocational education, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

B. M. STODDARD, *Chairman*.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 12.

Abben	Goodwin	Newberry	Shaff
Banta	Horchem	Olson	Stoddard
Browne	McIntosh	Scott	Wichman

Nays, 22.

Adams	Ethell	Price	Slosson
Brookhart	Fulton	Reed	Smith
Brookins	Gilchrist	Rees	Snook
Buser	Johnston	Romkey	Tuck
Caldwell	Mead	Schmedika	
Cessna	Nelson	Shinn	

Absent or not voting, 16.

Baird	Darting	Haskell	Perkins
Bergman	Dutcher	Holdoegel	Shane
Bowman	Hale	Kimberly	Thurston
Campbell	Hartman	Mantz	White

The report of the committee was rejected and bill placed on the calendar.

THIRD READING OF BILLS

On motion of Senator Stoddard, Senate File No. 527, a bill for an act to aid county and district fairs, livestock shows and agricul-

tural societies in the advancement of diversified farming and live-stock raising and to make an appropriation therefor, 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 the words "secretary of the state board of agriculture" wherever they appear and inserting in lieu thereof the words "state secretary of agriculture".

The amendment was adopted.

Senator Gilchrist offered the following amendments and moved their adoption:

Amend by striking the word "it" from line 9 of section 1 and inserting in lieu thereof the word "or".

Also amend by striking the word "include" from line 12 of section 1 and inserting the word "with" in lieu thereof.

The amendments were adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

Senator Gilchrist invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 21.

Abben	Campbell	Mantz	Scott
Adams	Dutcher	Mead	Shaff
Baird	Goodwin	Newberry	Stoddard
Banta	Hale	Olson	Wichman
Bowman	Holldoegel	Perkins	
Caldwell	Horchem		

Nays, 22.

Brookhart	Fulton	Price	Smith
Brookins	Gilchrist	Rees	Snook
Browne	Hartman	Romkey	Tuck
Buser	Johnston	Schmedika	White
Cessna	McIntosh	Shane	
Ethell	Nelson	Shinn	

Absent or not voting, 7.

Bergman	Haskell	Reed	Thurston
Darting	Kimberly	Slosson	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator McIntosh House File No. 797, a bill for an act relating to property offered as a stake, or staked, paid, bet,

wagered, laid or deposited in connection with or as a part of any game of chance, lottery, gambling scheme or device, gift enterprise, or any other trade scheme unlawful under the laws of this state; and providing for the seizure of such property and its disposition, was substituted for Senate File No. 721, taken up and considered.

The bill was read for information.

Senator McIntosh moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Ethell	Mantz	Shane
Brookhart	Fulton	Nelson	Shinn
Brookins	Gilchrist	Newberry	Slosson
Browne	Goodwin	Price	Smith
Buser	Hartman	Reed	Snook
Campbell	Holdoegel	Rees	Stoddard
Cessna	Johnston	Romkey	Thurston
Darting	Kimberly	Schmedika	Tuck
Dutcher	McIntosh	Shaff	White

Nays, 8.

Baird	Bergman	Horchem	Perkins
Banta	Hale	Olson	Wichman

Absent or not voting, 6.

Adams	Caldwell	Mead	Scott
Bowman	Haskell		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Stoddard House File No. 743, a bill for an act to amend chapter three hundred nine (309), acts of the Thirty-ninth General Assembly, in regard to the annual appropriation of funds to enable the state railroad commission to investigate and prosecute state cases and to investigate and determine all cases within its jurisdiction, 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 reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Abben	Darting	Mantz	Shaff
Adams	Dutcher	Mead	Shane
Baird	Fulton	Nelson	Slosson
Banta	Gilchrist	Newberry	Smith
Bergman	Goodwin	Olson	Snook
Bowman	Hale	Perkins	Stoddard
Brookhart	Hartman	Price	Tuck
Brookins	Horchem	Rees	White
Caldwell	Johnston	Romkey	
Campbell	Kimberly	Schmedika	
Cessna	McIntosh	Scott	

Nays, none.

Absent or not voting, 9.

Browne	Ethell	Holdoegel	Shinn
Buser	Haskell	Reed	Thurston
			Wichman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 767, a bill for an act relating to the assessment and collection of taxes upon the devises, bequests, legacies, gifts, and other transfers of property subject to the imposition of an inheritance tax; and to make further provision for rates of taxation and exemptions; and to provide for the making of certain reports and providing penalties for failure to make said reports; and to make other provisions for collection of inheritance tax and to provide for compensating county attorneys for special services rendered in connection with the collection of said tax.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 824, a bill for an act relating to soldiers' exemption and providing for a refund for taxes paid to the amount of the exemption for the year 1922.

Also, that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 342, a bill for an act repealing the law as it appears in section five thousand two hundred eighty-four (5284) of the code, (C. C. 9347) and enacting a substitute therefor, relating to criminal procedure and providing for the joinder of more than one charge in the same indictment.

Also, that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 538, a bill for an act to amend section thirty-five hundred ninety-three (3593) of the compiled code of Iowa, relating to the cleaning of streets, the establishment of sanitary districts and providing for the levy of an annual tax for the purpose of carrying out the provisions of this act and the disbursement of the same.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 354, a bill for an act making appropriations for the erection, repair and improvement of buildings, etc., for state institutions.

HOUSE AMENDMENTS TO SENATE FILE NO. 354

Amend by striking from lines three (3) and four (4) of section one (1) the words and figures "one million five hundred sixty-four thousand four hundred dollars (\$1,564,400.00)" and inserting in lieu thereof the following: "one million two hundred eighty-seven thousand four hundred dollars (\$1,287,400.00)".

Amend by striking from line four (4) of section three (3) the figures "30,000.00" and inserting in lieu thereof the figures "24,000.00"; also amend by striking from line six (6) of section three (3) the figures "2,000.00" and inserting in lieu thereof the figures "1,500.00"; also amend by striking from line seven (7) of section three (3) the figures "32,000.00" and inserting in lieu thereof the figures "25,500.00".

Amend by striking from line four (4) of section four (4) the figures "20,000.00" and inserting in lieu thereof the figures "16,000.00"; also amend by striking from line thirteen (13) of section four (4) the figures "29,600.00" and inserting in lieu thereof the figures "25,600.00".

Amend by striking from line four (4) of section five (5) the figures "10,000.00" and inserting in lieu thereof the figures "8,000.00"; also amend by striking from line eighteen (18) of section five (5) the figures "116,000.00" and inserting in lieu thereof the figures "114,000.00".

Amend by striking from line four (4) of section six (6) the figures "35,000.00" and inserting in lieu thereof the figures "28,000.00"; also amend by striking from line seven (7) of section six (6) the figures "150,000.00" and inserting in lieu thereof the figures "125,000.00"; also amend by striking from line eight (8) of section six (6) the figures "40,000.00" and inserting in lieu thereof the figures "35,000.00"; also amend by striking from line twelve (12) of section six (6) the figures "2,000.00" and inserting in lieu thereof the figures "1,500.00"; also amend by striking from line thirteen (13) of section six (6) the figures "247,000.00" and inserting in lieu thereof the figures "209,500.00".

Amend by striking from line four (4) of section seven (7) the figures "25,000.00" and inserting in lieu thereof the figures "20,000.00"; also amend by striking from line seven (7) of section seven (7) the figures "31,500.00" and inserting in lieu thereof the figures "26,500.00".

Amend by striking from line four (4) of section eight (8) the figures "20,000.00" and inserting in lieu thereof the figures "16,000.00"; also

amend by striking from line thirteen (13) of section eight (8) the figures "41,900.00" and inserting in lieu thereof the figures "37,900.00".

Amend by striking from line four (4) of section nine (9) the figures "20,000.00" and inserting in lieu thereof the figures "16,000.00"; also amend by striking from line thirteen (13) of section nine (9) the figures "31,900.00" and inserting in lieu thereof the figures "27,900".

Amend by striking from line four (4) of section ten (10) the figures "30,000.00" and inserting in lieu thereof the figures "24,000.00"; also amend by striking from line eight (8) of section ten (10) the figures "12,000.00" and inserting in lieu thereof the figures "10,000.00"; also amend by striking from line nine (9) of section ten (10) the figures "52,500.00" and inserting in lieu thereof the figures "44,500.00".

Amend by striking from line four (4) of section eleven (11) the figures "30,000.00" and inserting in lieu thereof the figures "24,000.00"; also amend by striking from line five (5) of section eleven (11) the figures "30,000.00" and inserting in lieu thereof the figures "24,000.00".

Amend by striking from line four (4) of section twelve (12) the figures "20,000.00" and inserting in lieu thereof the figures "16,000.00"; also amend by striking from line five (5) of section twelve (12) the figures "150,000.00" and inserting in lieu thereof the figures "125,000.00"; also amend by striking from line six (6) of section twelve (12) the figures "7,000.00" and inserting in lieu thereof the figures "5,000.00"; also amend by striking from line eight (8) of section twelve (12) the figures "185,000.00" and inserting in lieu thereof the figures "154,000.00".

Amend by striking from line four (4) of section thirteen (13) the figures "30,000.00" and inserting in lieu thereof the figures "24,000.00"; also amend by striking from line eleven (11) of section thirteen (13) the figures "205,500.00" and inserting in lieu thereof the figures "199,500.00".

Amend by striking from line four (4) of section fourteen (14) the figures "20,000.00" and inserting in lieu thereof the figures "16,000.00"; also amend by striking out all of line five (5) of section fourteen (14); also amend by striking from line ten (10) of section fourteen (14) the figures "312,000.00" and inserting in lieu thereof the figures "183,000.00".

Amend by striking from line four (4) of section fifteen (15) the figures "25,000.00" and inserting in lieu thereof the figures "20,000.00"; also amend by striking from line nine (9) of section fifteen (15) the figures "125,000.00" and inserting in lieu thereof the figures "100,000.00"; also amend by striking from line twelve (12) of section fifteen (15) the figures "159,000.00" and inserting in lieu thereof the figures "129,000.00".

Amend by striking from line four (4) of section sixteen (16) the figures "20,000.00" and inserting in lieu thereof the figures "16,000.00"; also amend by striking from line nine (9) of section sixteen (16) the figures "28,500.00" and inserting in lieu thereof the figures "24,500.00".

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 742, a bill for an act to legalize the acts and proceedings of the board of supervisors and other officers of the county of

Marion, in the state of Iowa, in relation to Sugar Creek drainage district number one, Marion county, Iowa.

Also, that the House has concurred in Senate amendments to House File No. 137, a bill for an act relating to compensation of county officers, appointment and compensation of their deputies and the collection and accounting of fees.

Also, that the House has concurred in Senate amendments to House File No. 626, a bill for an act to repeal section two hundred seventy-eight (278) of the code, (C. C. 6910), relating to the salary of judges of superior courts, and to enact a substitute therefor, also to amend section two hundred sixty-two (262) of the code (C. C. 6907) relating to powers of judges of superior courts.

Also, that the House has concurred in Senate amendments to House File No. 400, a bill for an act to amend section 39, of chapter 237 of the laws of the Thirty-eighth General Assembly (C. C. 2947) authorizing the board of supervisors to use a part of the primary road fund for the purpose of improving the secondary roads of the county.

Also, that the House has concurred in Senate amendments to House File No. 391, a bill for an act to prohibit nepotism within this state.

Also, that the House has concurred in Senate amendments to House File No. 576, a bill for an act making it unlawful for officers of counties, cities, towns, townships and school corporations to sell bonds issued by such county, city, town, township or school corporation for less than par or to pay any commission for the sale of the same and providing a penalty for its violation.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 767, a bill for an act to amend the law as it appears in section 1481-a26, supplement to the code, 1913, and to amend section 2 of chapter 38, acts of the Thirty-ninth General Assembly as amended by chapter 164, acts of the Thirty-ninth General Assembly; to repeal section 4 of chapter 38, acts of the Thirty-ninth General Assembly, and to enact a substitute in lieu thereof; and to amend the law as it appears in chapter 4 title VII, supplement to the code 1913, and chapters 38 and 164, acts of the Thirty-ninth General Assembly, relating to the assessment and collection of taxes upon the devises, bequests, legacies, gifts, and other transfers of property subject to the imposition of an inheritance tax; and to make further provision for rates of taxation and exemptions; and to provide for the making of certain reports and providing penalties for failure to make said reports; and to make other provisions for collection of inheritance tax and to provide for compensating county attorneys for special services rendered in connection with the collection of said tax.

Read first and second times and referred to sifting committee.

House File No. 824, a bill for an act relating to soldiers' exemption and providing for a refund for taxes paid to the amount of the exemption for the year 1922.

Read first and second times and passed on file.

HOUSE CONCURRENT RESOLUTION

Senator Stoddard called up the following resolution and moved its adoption:

Be It Resolved by the House, the Senate concurring, That the code, all supplements and session laws, the compiled code and supplements thereto, together with all other books and supplies distributed to each member of the General Assembly shall at the end of this session be boxed for each individual member and said box to be plainly marked and stored in a convenient place at the State House for his use upon his return to the special session. Should any member desire to have such books and supplies sent to his home he may do so, but in such event said books and supplies must be returned for his use in the special session.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 29.

Abben	Fulton	Perkins	Smith
Adams	Gilchrist	Reed	Snook
Banta	Goodwin	Schmedika	Stoddard
Bergman	Hale	Shaff	Thurston
Brookhart	Mcintosh	Shane	Tuck
Brookins	Nelson	Shinn	White
Caldwell	Newberry	Slosson	
Darting	Olson		

Nays, 1.

Buser

Absent or not voting, 20.

Baird	Dutcher	Horchem	Price
Bowman	Ethell	Johnston	Rees
Browne	Hartman	Kimberly	Romkey
Campbell	Haskell	Mantz	Scott
Cessna	Holdoegel	Mead	Wichman

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 10th day of April, 1923, sent to the Governor for his approval, Senate Files Nos. 303, 406, 407, 431, 449, 491, 517, 534, 535, 569 and 644.

F. C. GILCHRIST, *Chairman.*

Passed on file.

CALL OF THE SENATE

We, the undersigned, hereby request a call of the Senate when the following bills are under consideration: Senate Files 458, 462, 464 and 465.

CHAS. M. DUTCHER,
 BEN C. ABBEN, JR.,
 GEORGE S. BANTA,
 B. M. STODDARD,
 P. C. HOLDOEGEL,
 R. P. SCOTT,
 G. S. HARTMAN,
 J. O. SHAFF,
 BYRON W. NEWBERRY,
 W. SCHMEDIKA,
 C. J. FULTON,
 B. J. HORCHEM,
 J. E. WICHMAN,
 F. C. GILCHRIST,
 J. M. SLOSSON,
 W. J. GOODWIN.
 W. A. CALDWELL,
 H. C. ADAMS.

The roll was called and the following Senators were found to be present:

Abben	Darting	Mantz	Shane
Adams	Dutcher	Mead	Shinn
Baird	Ethell	Nelson	Slosson
Banta	Fulton	Newberry	Smith
Bowman	Gilchrist	Olson	Snook
Brookhart	Goodwin	Price	Stoddard
Brookins	Hale	Reed	Tuck
Browne	Hartman	Rees	White
Buser	Holdoegel	Romkey	Wichman
Caldwell	Horchem	Schmedika	
Campbell	Johnston	Scott	
Cessna	McIntosh	Shaff	

Senator Price moved that Senator Haskell be excused from this call of the Senate, which motion prevailed.

Senator Price moved that Senator Kimberly be excused from the call of the Senate on account of illness.

On the question "Shall Senator Kimberly be excused?" the vote was:

Ayes, 24.

Baird	Buser	Ethell	Hartman
Banta	Campbell	Goodwin	Johnston
Browne	Cessna	Hale	McIntosh

Nelson
Price
Reed

Romkey
Schmedika
Shaff

Shane
Shinn
Slosson

Snook
Thurston
Tuck

Nays, 18.

Abben
Adams
Bowman
Caldwell
Dutcher

Fulton
Gilchrist
Holdoegel
Horchem

Mantz
Mead
Newberry
Olson

Scott
Smith
Stoddard
White
Wichman

Absent or not voting, 8.

Bergman
Brookhart

Brookins
Darting

Haskell
Kimberly

Perkins
Rees

The motion was lost, a suspension of the rules requiring a two-thirds vote.

Senators Bergman, Kimberly, Perkins and Thurston appeared in the Senate chamber and the call was complete.

Senator Price moved that Senator Holdoegel be excused from the call of the Senate, which motion prevailed.

Senator Price moved that the Senate go into a committee of the whole for the consideration of Senate Files Nos. 458, 462, 464 and 465, which motion prevailed.

Senator Buser moved that the Senate message to the House to ascertain the status of Senate Files Nos. 458, 462, 464 and 465, which motion was lost.

Senator Shaff moved that the committee of the whole now arise, which motion prevailed.

The Journal of April 9th was corrected and approved.

Senator Newberry moved that the Senate now go into executive session.

The Senate arose from executive session and resumed regular session.

On motion of Senator Shinn the Senate adjourned until 9 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 11, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Col. L. W. Ainsworth, Secretary of the Senate.

On motion of Senator Ethell rule 33 was suspended for the day.

RESOLUTION CONSIDERED

Senator Buser called up the following resolution and moved its adoption:

Whereas, The State Senate of Iowa has seriously important duties to perform the few remaining days of the session of the Fortieth General Assembly, and

Whereas, It is vitally necessary that there should be no confusion and that the membership of this body should not be annoyed or their attention distracted from their duties, and

Whereas, The presence of innumerable lobbyists who insist upon accosting and annoying the membership of this body in the cloak room, at their seats, and upon the floor of the Senate Chamber, seriously interferes with the performance of the duties of this body.

Therefore, Be It Resolved by the State Senate of Iowa, That all lobbyists shall be excluded from the Senate Chamber for the remainder of the session of the Fortieth General Assembly and that the sergeant-at-arms of the state Senate is hereby directed to strictly enforce the provisions of this resolution.

Senator Price 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, 18.

Brookhart	Kimberly	Price	Shinn
Buser	McIntosh	Rees	Snook
Fulton	Mantz	Romkey	Tuck
Hartman	Nelson	Schmedika	
Johnston	Olson	Shane	

Nays, 25.

Abben	Caldwell	Holdoegel	Stoddard
Baird	Campbell	Horchem	Thurston
Banta	Cessna	Newberry	White
Bergman	Darting	Reed	Wichman
Bowman	Dutcher	Scott	
Brookins	Gilchrist	Shaff	
Browne	Goodwin	Slosson	

Absent or not voting, 7.

Adams	Hale	Mead	Smith
Ethell	Haskell	Perkins	

The resolution was lost.

INTRODUCTION OF BILLS

Senate File No. 744, by sifting committee, a bill for an act to legalize certain warrants issued by the board of supervisors of Monroe county, Iowa.

Read first and second times and placed on calendar.

Senate File No. 745, by committee on appropriations, a bill for an act to make appropriation for the payment of state and other expenses.

Read first and second times and placed on calendar.

REPORT OF SIFTING COMMITTEE

April 11, 1923.

MR. PRESIDENT: Your sifting committee to whom was referred the following bills, beg leave to report they have had same under consideration and recommend the same do pass:

House File No. 583 and Senate File No. 660.

GEO. B. PERKINS, *Chairman*.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had on April 10th signed Senate Files Nos. 644, 406, 431, 569, 407, 491, 534, 535, 517, 303, and 449.

CONSIDERATION OF HOUSE FILE NO. 469.

Senator Buser moved that the rules be suspended and the vote by which House File No. 469 passed the Senate be reconsidered, which motion prevailed.

Senator Buser moved that the vote by which House File No. 469 passed to its third reading be reconsidered, which motion prevailed.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause except the publication section and inserting in lieu thereof the following:

"Section 1. The provisions of sections nineteen hundred eighty-nine-a fifty-two-a (1989-a52a), to nineteen hundred eighty-nine-a fifty-two-g (1989a52g), inclusive, supplement to the code, 1913, are hereby made applicable to any levee constructed by the United States or may hereafter be constructed by the United States along or near the bank of a navigable stream, forming a part of the boundary of this state as provided in section nineteen hundred seventy-five (1975) code 1897."

Also amend by striking the title and inserting in lieu thereof the following:

An act to amend the law as it appears in sections nineteen hundred eighty-nine-a fifty-two-a (1989-a52a) to nineteen hundred eighty-nine-a fifty-two-g (1980-a42g), inclusive, supplement to the code 1913, by providing authority for the election and management of levee districts by trustees; also renumber section nine as section two.

The amendment was adopted.

The bill was read for information.

Senator Buser moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 46.

Abben	Cessna	Kimberly	Schmedika
Adams	Darting	McIntosh	Scott
Baird	Dutcher	Mantz	Shane
Banta	Ethell	Mead	Shinn
Bergman	Fulton	Nelson	Slosson
Bowman	Gilchrist	Newberry	Snook
Brookhart	Goodwin	Olson	Stoddard
Brookins	Hale	Perkins	Tuck
Browne	Hartman	Price	White
Buser	Holdoegel	Reed	Wichman
Caldwell	Horchem	Rees	
Campbell	Johnston	Romkey	

Nays, none.

Absent or not voting—4.

Haskell

Shaff

Smith

Thurston

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Buser moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which 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. 790, a bill for an act to promote thrift and savings, to provide for loans and a general banking business on the cooperative plan under the provisions of the cooperative laws of the state, to provide for the organization of such banks, manner of conducting the business, the scope of business and the control and operation of the same.

Also, that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

Concurrent Resolution urging the appointment of Dr. Alfred J. Pearson, of Drake University, to the Ministerial post of Sweden.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE MESSAGE CONSIDERED

House File No. 790, a bill for an act to promote thrift and savings, to provide for loans and a general banking business on the cooperative plan, under the provisions of the cooperative laws of the state, and to provide for the organization of such banks, manner of conducting business, the scope of business and the control and operation of the same.

Read first and second time and referred to sifting committee.

President Pro Tem Price took the chair at 9:35 a. m.

CONSIDERATION OF HOUSE FILE NO. 629

Senator Brookins moved that the vote by which House File No. 629 passed the Senate be reconsidered, which motion prevailed.

Senator Brookins moved that the vote by which House File No. 629 passed to its third reading be reconsidered, which motion prevailed.

President Hammill resumed the chair at 9:40.

Senator Brookins moved that the vote by which House File No. 629 was amended by striking out all of section 5 be reconsidered, which motion prevailed.

Senator Brookins offered the following amendment as a substitute for the previous amendment striking out section 5 and moved its adoption.

Amend by striking all of section 5 and inserting in lieu thereof the following:

Sec. 5. Provided, however, that the provisions of this act shall not apply to the lower three thousand (3,000 ft.) feet of any stream flowing into a river at a place where such river forms a part of the boundary line of the state.

The amendment was adopted.

The bill was read for information.

Senator Brookins moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Abben	Cessna	Mantz	Schmedika
Adams	Fulton	Mead	Scott
Baird	Gilchrist	Nelson	Shaff
Banta	Goodwin	Newberry	Shane
Bergman	Hale	Olson	Shinn
Brookhart	Hartman	Perkins	Slosson
Brookins	Holdoegel	Price	Snook
Browne	Horchem	Reed	Stoddard
Caldwell	Johnston	Rees	Thurston
Campbell	McIntosh	Romkey	Tuck
			Wichman

Nays, none.

Absent or not voting, 9.

Bowman	Dutcher	Haskell	Smith
Buser	Ethell	Kimberly	White
Darting			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Brookins moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Abben, House File No. 824, a bill for an act relating to soldiers' exemption and providing for a refund for taxes paid to the amount of the exemption for the year 1922, was taken up and considered, the rule requiring reference to a committee having been suspended.

Senator Abben offered the following amendment and moved its adoption:

Amend by adding as section 2 the following:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect upon its publication in the Des Moines Register and Des Moines Capital, newspapers published in Des Moines, Iowa."

The amendment was adopted.

The bill was read for information.

Senator Abben moved that 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	Campbell	Johnston	Romkey
Abben	Cessna	Kimberly	Schmedika
Baird	Dutcher	McIntosh	Shane
Banta	Ethell	Mantz	Shinn
Bergman	Fulton	Mead	Slosson
Bowman	Gilchrist	Nelson	Snook
Brookhart	Hale	Newberry	Stoddard
Brookins	Hartman	Olson	Thurston
Buser	Holdoegel	Perkins	Tuck
Caldwell	Horchem	Price	White

Nays, none.

Absent or not voting, 10.

Browne	Haskell	Scott	Wichman
Darting	Reed	Shaff	
Goodwin	Rees	Smith	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

The Senate resumed consideration of Senate File No. 458, the call of the Senate being still operative.

The roll was called and the following senators were found to be present.

Abben	Dutcher	Mantz	Shinn
Baird	Ethell	Nelson	Slosson
Banta	Fulton	Newberry	Smith
Bergman	Gilchrist	Olson	Snook
Bowman	Goodwin	Price	Stoddard
Brookins	Hale	Reed	Thurston
Browne	Hartman	Rees	Tuck
Buser	Holdoegel	Romkey	White
Caldwell	Horchem	Schmedika	Wichman
Campbell	Johnston	Scott	
Cessna	Kimberly	Shaff	
Darting	McIntosh	Shane	

Senators Adams, Brookhart, Mead and Perkins appeared in the Senate Chamber and the call was complete, Senator Haskell having been excused.

THIRD READING OF BILLS

On motion of Senator Olson, Senate File No. 458, a bill for an act to make 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 amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by adding at the end of section one (1) the following: "provided, however, that the appropriation for soldiers' tuition in the State University, provided for in said chapter 287, shall be reduced from \$60,000 to \$35,000 per annum during the next biennium, and that the soldiers' tuition at the Iowa State College of Agriculture and Mechanic Arts should be reduced from \$60,000 to \$35,000 per annum for the next biennium".

Senator Shane offered the following amendment and moved its adoption:

Amend by adding to section 1 the following:

"The provisions of this act shall not include line twelve (12) of section five (5) of chapter 287, acts of the Thirty-ninth General Assembly."

On the question "Shall the amendment be adopted?" the vote was :

Ayes, 31.

Abben	Campbell	Nelson	Shane
Adams	Cessna	Olson	Shinn
Bergman	Ethell	Price	Slosson
Brookhart	Fulton	Rees	Smith
Brookins	Hartman	Romkey	Snook
Browne	Johnston	Schmedika	Thurston
Buser	McIntosh	Scott	Tuck
Caldwell	Mead	Shaff	

Nays, 17.

Baird	Goodwin	Mantz	White
Banta	Hale	Newberry	Wichman
Bowman	Holdoegel	Perkins	
Dutcher	Horchem	Reed	
Gilchrist	Kimberly	Stoddard	

Absent or not voting, 2.

Darting	Haskell
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The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption :

Amend by adding as section 5 the following:

"Sec. 5. No appropriation for a specific purpose under this act shall be transferred to another fund."

On the question "Shall the amendment be adopted?" the vote was :

Ayes, 23.

Bergman	Cessna	Mead	Shane
Brookhart	Ethell	Nelson	Shinn
Brookins	Fulton	Price	Snook
Browne	Hartman	Rees	Thurston
Buser	Johnston	Romkey	Tuck
Campbell	McIntosh	Schmedika	

Nays, 26.

Abben	Dutcher	Mantz	Slosson
Adams	Gilchrist	Newberry	Smith
Banta	Goodwin	Olson	Stoddard
Bowman	Hale	Perkins	White
Baird	Holdoegel	Reed	Wichman
Caldwell	Horchem	Scott	
Darting	Kimberly	Shaff	

Absent or not voting, 1.

Haskell

The amendment was lost.

Senator Abben moved the previous question, which motion prevailed and the previous question was ordered.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Abben	Dutcher	Mead	Smith
Adams	Gilchrist	Newberry	Stoddard
Baird	Goodwin	Olson	White
Banta	Hale	Perkins	Wichman
Bergman	Holdoegel	Reed	
Bowman	Horchem	Scott	
Caldwell	Kimberly	Shaff	
Darting	Mantz	Slosson	

Nays, 21.

Brookhart	Ethell	Price	Snook
Brookins	Fulton	Rees	Thurston
Browne	Hartman	Romkey	Tuck
Buser	Johnston	Schmedika	
Campbell	McIntosh	Shane	
Cessna	Nelson	Shinn	

Absent or not voting, 1.

Haskell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bowman moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

COMMITTEE FROM THE HOUSE

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 CONVENTION

As per concurrent resolution duly adopted, the joint session was called to order, Lieutenant-governor John Hammill, President of the Senate, presiding.

The President announced a quorum present and the joint convention duly organized.

Senator Goodwin moved that a committee of three be appointed, one from the Senate and two from the House, to inform Senator Albert B. Cummins that the joint convention was ready to receive him.

Motion prevailed and the President appointed as such committee, Senator Goodwin of Polk and Representatives Diltz of Polk and Brittain of Madison.

Senator Hartman moved that a committee of three be appointed, one from the Senate and two from the House, to notify Mrs. Harriet Taylor Upton, vice-chairman of the executive committee of the republican national committee, that the joint convention was ready to receive her.

Motion prevailed and the President appointed as such committee, Senator Hartman of Fayette and Representatives Parsons of Calhoun and Cole of Harrison.

The committees appointed to notify Senator Albert B. Cummins and Mrs. Harriet Taylor Upton that the joint convention was ready to receive them returned, accompanied by the guests.

President Hammill then introduced Mrs. Harriet Taylor Upton, who briefly addressed the joint convention.

Senator Albert B. Cummins was then introduced by President Hammill and delivered his address to the joint convention as follows:

REMARKS OF SENATOR ALBERT B. CUMMINS

MR. SPEAKER, MR. PRESIDENT, AND GENTLEMEN OF THE GENERAL ASSEMBLY:

For the very great honor which your invitation to address you has conferred upon me I am profoundly grateful.

It is a privilege of unusual distinction to represent the people of Iowa in their public affairs as you do, and as in part I do in another legislative body, for, taking them as a whole, they form the most moral, the most intelligent, the most patriotic, and the most progressive community on the face of the earth. I have served them in one capacity or another for more than twenty years, and I have had abundant opportunity to learn the esteem in which they are held for all these qualities throughout the length and breadth of the country.

I take advantage of this occasion again to express, through you, my heartfelt appreciation of the confidence which, from time to time, they have reposed in me, and again I pledge to them all the strength of mind and body to serve this commonwealth faithfully as God gives me understanding of the best interests of all its people.

In selecting a subject for the brief discussion upon which I am about to enter I am impelled by circumstances to abandon my inclination, which would have led me into other fields, and take up a phase of our railway transportation problem, giving particular attention to a section of the transportation act, 1920. I feel compelled to do this because I received in due time after its passage a copy of your concurrent resolution upon this subject which expresses, I assume, the informed and deliberate opinion of the members of both the Senate and the House of Representatives.

That resolution declares, among other things:

"We urge upon Congress the repeal of Section 15a of the Interstate Commerce Act as amended by the Esch-Cummins Act." This means, of course, that you want me to use what influence I have in the Congress of the United States to secure the repeal of this section, and finally to vote for its repeal when the bill proposing it reaches that stage in its consideration by the Senate.

Long ago I would have replied to the communication transmitting this resolution, had it not been that I hoped that you would give me the opportunity, which you so graciously have now given me, to answer it face to face.

Much as I respect and value the judgment of this General Assembly, and deeply as I desire to be guided by your views, in the performance of my duties as a Senator of the United States from Iowa, I am constrained to say that I cannot follow your wishes in this respect, and I am here to tell you why I cannot do it without violating my own conscience and without deserting the best interests, not only of the people of Iowa, but of the whole country.

You will understand that I am in no degree criticising the resolution. You have a clear and absolute right to urge upon me any course that you believe will promote the welfare of the country. But if I differ from you it is not only my right, but my imperative duty, plainly to say so, and give you my reasons for the position I have taken, am taking now, and intend to take in the future, unless and until I am convinced that

you are right and I am wrong.

A very brief survey of the situation as it existed in the period preceding the passage of the Transportation Act may be helpful. The government assumed the full control and operation of the railroads on the first of January, 1918, as a war measure. After the war had ended the director general, Mr. William G. McAdoo, came before Congress with the proposal that the government should continue to operate the railroads for five years. This proposal did not meet with favor, and thereupon President Wilson announced that he would return the railroads to their owners on the first of January, 1920. Thereafter he modified the announcement and fixed the return for the first of March, 1920. It therefore became necessary to prepare and adopt the legislation suitable for their return prior to that time.

The net loss to the public in the twenty-six months of government operation could not be accurately ascertained at that time, and it was variously estimated from one billion to more than two billions of dollars. The accounts are not yet fully adjusted, but it is now known that this loss was more than \$1,800,000,000, and that probably it will reach \$2,000,000,000, notwithstanding an increase in the rates in the spring of 1918 of 25%. This includes, of course, the loss involved in the extension of the standard contract for the period of six months after March 1, 1920. At the time the transportation act was passed there had been pending for something like six months a demand for increased wages on the part of the employees amounting to something like \$800,000,000 per year. The director general declined to pass on this demand, and it was finally referred to the labor board, a tribunal created by the act. I may say, however, that when the labor board, in July, 1920, came to consider the demand, its action resulted in an increase of compensation amounting to \$650,000,000 per year.

Thus we were not only confronted with a situation in which the government had been losing at the rate of more than \$45,000,000 per month during a period of twenty-six months, but with a certain knowledge that the wages of employees would be increased in the near future from six to eight hundred million dollars per year.

It was obvious to us, and must be to you, that with a prospective deficit of \$100,000,000 per month the operation of a very large part of your railway mileage would become utterly impossible in the immediate future, and to permit that contingency to arise was simply unthinkable.

We knew further that the railroads, during government operation, had not been properly maintained; that is to say, maintained according to the standard fixed in the government contract, and this has been verified since that time by the adjustments which show an under-maintenance amounting to about \$225,000,000. We knew that increased facilities to meet the growing business of the United States had not been added during government operation. The railroads were about to be returned to their owners for private operation. Our whole concern was to see that they should be returned so that they could render the service which the welfare of the country imperatively demanded. We wanted to make reasonably sure that the service would be as adequate as possible, and

at the lowest cost consistent with its proper maintenance and development.

No more perilous conditions have menaced the industries of the United States than those which existed at that time, and our whole thought during months of arduous labor was concentrated upon the one vital question: How can the 265,000 miles of railway, upon which the people depend almost wholly for internal transportation, be kept in operation with fair efficiency and reasonable adequacy.

Section 15a, to which your resolution refers, was an important part of the plan adopted to accomplish this result. We knew, of course, as everybody knew, that freight and passenger rates must be increased, but it is a grave mistake to assume, or assert that this section of the act has been the cause of the increase. Rates have been advanced simply because the cost of maintenance and operation have more than doubled, since the pre-war days, while railway rates, taken as a whole, are now about 54% higher than they were before the government took over the railroads at the beginning of the year 1918. It is my deliberate judgment that, while the section under consideration has strengthened the credit of the weaker railroad properties, and thus enabled them to live, that the rates themselves would have been higher without section 15a than with it.

With these preliminary observations I turn to the section itself. It consists of eighteen separate and independent paragraphs. I assume that you are familiar with all these paragraphs, because you have asked me to eliminate all of them from the interstate commerce act, and I know that you would not have done so without the most careful study of their various provisions.

I have never heard any specific criticism of the section, except as to paragraphs (2), (3), (4), (5), and (6), and it may surprise you to learn that the objections urged against these paragraphs are urged with equal emphasis and earnestness by the leaders who claim to speak for and represent the farmers of the country, and by the most powerful and influential of the railway corporations of the country. I do not question the sincerity of these opponents of section 15a, but it is to me somewhat remarkable that, with their diversity of interest, they can find a common ground from which they can deliver their attacks upon this part of the law. I intend to read these five paragraphs in your hearing, making such comment upon them as I proceed as may assist you to understand my view of their purport and effect.

Paragraphs (2) and (3) are as follows: "(2) In the exercise of its power to prescribe just and reasonable rates the commission shall initiate, modify, establish or adjust such rates so that carriers as a whole (or as a whole in each of such rate groups or territories as the commission may from time to time designate) will, under honest, efficient and economical management and reasonable expenditures for maintenance of way, structures and equipment, earn an aggregate annual net railway operating income equal, as nearly as may be, to a fair return upon the aggregate value of the railway property of such carriers held for and used in the service of transportation: Provided, That the commission shall have reasonable latitude to modify or adjust any particular rate which it may

find to be unjust or unreasonable, and to prescribe different rates for different sections of the country.

"(3) The commission shall from time to time determine and make public what percentage of such aggregate property value constitutes a fair return thereon, and such percentage shall be uniform for all rate groups or territories which may be designated by the commission. In making such determination it shall give due consideration, among other things, to the transportation needs of the country and the necessity (under honest, efficient and economical management of existing transportation facilities) of enlarging such facilities in order to provide the people of the United States with adequate transportation: Provided: That during the two years beginning March 1, 1920, the commission shall take as such fair return a sum equal to $5\frac{1}{2}$ per centum of such aggregate value, but may, in its discretion, add thereto a sum not exceeding one-half of one per centum of such aggregate value to make provision in whole or in part for improvements, betterments or equipment, which according to the accounting system prescribed by the commission, are chargeable to capital account."

It will be noted that the proviso in paragraph (3) which, for the period of two years, directed the interstate commerce commission to take $5\frac{1}{2}$ per centum upon the aggregate value of the railroad property as a fair return, with a discretion to add one-half of one per centum to be invested in improvements, betterments, or equipment, and charged to capital account, expired by its own limitation on March 1st, 1922. I have never heard it alleged that $5\frac{1}{2}$ per centum upon capital was more than a fair return under the conditions which existed in 1920 and for two years thereafter, and I pause only to observe with respect to this proviso that it is not in any possible sense a guarantee. I shall speak presently of that part of our system of government which deals with a fair return. I repeat that neither in words nor in effect is this proviso a guarantee.

The net operating income of all the railroads in the United States for the year 1920 was about one-half of one per cent upon the value of the property rendering the service, as fixed by the interstate commerce commission; in 1921 it had advanced to a little more than three per cent, and in 1922 it had advanced still further to about four per cent. It has never been claimed by anyone, however much given to misrepresentation, that the government is in any wise responsible to the railroads for the difference between these net incomes and the fair return as fixed in this proviso, or as subsequently fixed by the interstate commerce commission.

With that point out of the way I ask your consideration of paragraph (2). You will not overlook the re-affirmation in paragraph (2) of the principle that the rates prescribed by the commission must be just and reasonable; nor will you, I am sure, forget that under the repeated decisions of the Supreme Court of the United States, rates which do not earn a fair return upon the value of the property which renders the service are neither just nor reasonable. These provisions of the paragraph are neither new nor strange.

Happily we live under the protection of a constitution, which all men ought to respect, and which all of us who hold public office have sworn

to obey and defend. It is the constitution of the United States which prohibits Congress, or any state legislature, or any administrative officer from fixing rates for a public service rendered by a private corporation or individual, that will yield less than a fair return upon the value of the property which renders the service. However it may be in other countries, in our country confiscation is a proscribed policy.

The statute to which I am referring simply recognizes the constitution as the supreme law of the land, and does no more than state in the very language of the supreme court, in repeated instances, its interpretation of the constitution.

There is but one thing in either of these paragraphs which is not perfectly familiar in legislation concerning the regulation of public utilities. The new feature lies in authorizing the commission to take the railroads as a whole, or in such groups as it may be thought wise, and to provide such rates as will yield a fair return upon the properties as a whole, or in appropriate groups. This requirement is new in legislation, but it is not new in the practice of the interstate commerce commission. In at least two of the great rate investigations the commission had been compelled to assemble into one group the eastern railroads, and into another the midwestern railroads, in order to ascertain what constitutes a fair and reasonable return. The only new element in the two paragraphs I am discussing is giving legislative sanction to a practice which the commission had, by force of circumstances, been compelled to adopt. There is no difficulty whatever in sustaining this plan by the most conclusive showing, but in this brief discourse I cannot enter the subject at length.

It must be obvious that rates which will maintain the railroads as a whole, that is to say, that rates adjusted upon the assumption that all the railroads are owned by a single corporation, or by the government, are necessarily lower than rates adjusted to the necessities of nine hundred or more separate corporations, when it is remembered that rates upon competitive traffic must be the same, and that from 80 to 90 per cent of the internal traffic of the United States is competitive. Nor will you, I am sure, forget, in the further consideration of this subject, that the greatest problem of all the problems touching railroad transportation is how to maintain all the transportation facilities of the country in full efficiency. One of the advantages of government ownership, overborne I think by many and overwhelming disadvantages, lies in the fact that if the government owned all the railroads it would inevitably fix rates that would maintain them as a whole, and this is the very thing which was attempted in the only new feature in these two paragraphs.

Possibly I have bestowed too much time upon this particular phase of section 15a, for the conflict of opinion has now largely shifted from these paragraphs to the three which follow them. I must, however, before leaving the subject, be permitted to make this comment: I believe I knew in the early months of 1920 what, under the conditions then prevailing, constituted a fair return, and the law expresses my opinion in that regard. I do not venture to announce any judgment upon what percentage of the value of the property constitutes a fair return at the present time. That is a subject which is committed wholly, without reserve, to the interstate

commerce commission. It may be 3 per cent, or 4 per cent, or 5 per cent, or 5% per cent, which is the last determination on the part of the commission. Necessarily the percentage which constitutes a fair return must be reached by a consideration of all the factors which enter into the business of the country. No thoughtful person will dispute, however, the proposition that the condition of any particular industry must be taken into account in fixing the rates upon the traffic of that industry, and the rapid deflation in the prices of agricultural products beginning in 1920 should have been, and have been a potent factor in fixing rates upon these products.

These rates may have been, and may still be, too high, and every possible effort should be made to reduce them, but while we are all striving toward that end, it should not be forgotten that the interstate commerce commission has been keenly alive to the overwhelming importance of the subject, and that the average railway revenue upon agricultural products per ton mile is twenty per cent lower than the average revenue upon all other commodities transported by the railroads.

The chief controversy with regard to section 15a has now centered in paragraphs (4) and (6).

Paragraph (4) is as follows: "For the purposes of this section, such aggregate value of the property of the carriers shall be determined by the Commission from time to time and as often as may be necessary. The Commission may utilize the results of its investigation under section 19a of this act, in so far as deemed by it available, and shall give due consideration to all the elements of value recognized by the law of the land for rate-making purposes, and shall give to the property investment account of the carriers only that consideration which under such law it is entitled to in establishing values for rate-making purposes. Whenever pursuant to section 19a of this act the value of the railway property of any carrier held for and used in the service of transportation has been finally ascertained, the value so ascertained shall be deemed by the Commission to be the value thereof for the purpose of determining such aggregate value."

Under this paragraph the commission, in August, 1920, fixed tentatively the value of the railroad property in the United States at \$18,900,000,000, and computed the fair return upon that basis. It is said by some of the advocates for repeal that this amount is six or seven billions of dollars more than the real value of the railroad property, taking the market value of the stocks and bonds as the standard of measurement, and by others that it is from two to seven billions of dollars less than the real value, taking the property investment accounts with full unearned increment as the standard of measurement.

It will be observed that paragraph (4) remits the whole subject to the commission. It declares: "The commission may utilize the results of its investigation under section 19a of this act, (which is the LaFollette act for the valuation of railroads) in so far as deemed by it available, and shall give due consideration to all the elements of value recognized by the law of the land for rate-making purposes, and shall give to the property investment account of the carriers only that con-

sideration which under such law it is entitled to in establishing values for rate-making purposes."

In attaching this value to the railroad properties the commission followed literally and faithfully the rules which had been announced by the supreme court of the United States, and while I may not agree with all its conclusions, as a law-abiding citizen I accept the result, subject to such modification as may hereafter be required by further consideration and further argument. The supreme court has decided over and over again that, except as to land, the value of public utility property for rate-making purposes is the cost of reproduction, less such depreciation for use and obsolescence as may be fair and reasonable; and that, as to land, the present value of equal areas of adjacent lots or lands.

The commission, beginning in 1913, has taken an inventory of all the lands used for railway purposes, the grading, the ties, rails, and ballast, the bridges, station houses, shops, elevators, warehouses, the rolling stock, and all other construction and improvements used in transportation, of all the railroads in the United States, and it is valuing them as rapidly as it can, using, as I understand, the cost and prices of 1914 and 1915 as a guide.

Using the information accumulated in that investigation it found that all the property of all the railroads in the United States was of the value of \$18,900,000,000; and I repeat that in every step of its work in this regard it obeyed implicitly the law of the land as announced by the supreme court.

It is said that there was, in the early days of the railroads, a vast amount of watered stock and bonds issued by the various companies which then owned the railroads. Unquestionably that is true, and was a wicked and vicious thing to do. But in some way or other the railroad companies have built and equipped 265,000 miles of railway, and the supreme court has said that it is the value of the property, and not the amount of stocks and bonds which must be considered as the basis of a fair return; and I, for one, do not intend to lead a rebellion against the decisions of the supreme court.

It is as absurd in principle as it is impossible under the law to contend that the market price of securities of a public utility for whose service the government fixes a compensation, shall be accepted as the measure of the value of the property which renders the service.

Waiving for a moment the protection of the constitution, it is obvious that the government could fix rates which would entirely destroy the market value of the securities, the result being that the property itself would have no value. It is unnecessary to pursue this thought further.

In reaching the conclusion which it did the commission also rejected the claim of the railroads that the property investment account, together with the increased value of lands and lots, for railroad purposes only, constituted the true measure of value. If this claim had been allowed it would have resulted in a valuation of somewhere between twenty-five and thirty billions of dollars. However, what you or I may think concerning the validity of these various claims, no matter by whom made, is not of great consequence, because you will all recognize that when the government takes property for public use or prescribes

a compensation for its use, the value of the property must be finally determined in a court of justice. It is a judicial inquiry in the end; not a legislative one. It was for that reason that paragraph (4) declared that the commission in ascertaining the values should "give due consideration to all the elements of value recognized by the law of the land," and whether you agree with my analysis of the matter or not, you must agree with me that there can be no just criticism of a statute which provides that the value must be ascertained according to the law of the land.

Paragraph (6) of the section is the paragraph which provides that if any railway company earns, under the rates established by the commission, a net income of more than 6 per cent, one-half of the excess shall be paid into the treasury of the United States to create a fund which may be loaned to carriers that may be unable to find credit for their necessary improvements elsewhere. The other one-half is to be held by the carrier accumulating it until it amounts to 5 per centum of the value of the property of the company, and it is not subject to distribution for either interest upon bonds or dividends upon stock. The purpose is, of course, to provide the company at all times with a surplus which may be used for the enlargement of the facilities of transportation.

Something like \$80,000,000 is now due the government from the highly profitable railroads under this paragraph for operation in 1922, and it is not strange that these corporations are clamoring for repeal. They have insisted from the beginning the section is unconstitutional, and while the question has not yet reached the supreme court I am glad to be able to say that its validity has been sustained by the Federal Courts of original jurisdiction.

This paragraph is founded upon principle of deep and abiding justice, and under present conditions I cannot vote for its repeal.

I understand perfectly that you passed the resolution urging the repeal of this section because you wanted railway rates reduced and believed that this was one way at least to accomplish that end. There is no man in this world who is more earnest than I am for the reduction of rates. I know how burdensome they are upon all industry, and especially upon a farmer who has been, and probably still is in many instances, selling his products at less than cost.

There is but one way, however, in my judgment, through which the whole body of rates can be materially reduced, and that way lies through a reduction in the cost of maintenance and operation. The wages of the railway workers constitutes about 60 per cent of the total expense of maintenance and operation. With the present cost of living, it is my judgment railway wages cannot be and ought not to be, in justice, substantially lessened, and they may have to be increased. We cannot control, and ought not to control, the price of supplies. There is but one way to reduce cost of operation materially, and it is by consolidating all the railroads into comparatively few systems, and while I cannot discuss this subject at this time I venture to say that with proper consolidation, and with efficient management, the railroads can render more and better service than they now render at a cost of \$750,000,000 per year less than they now expend.

Smith of Lucas moved that the joint convention be now dissolved. Motion prevailed.

The Senate returned to the Senate Chamber and resumed session.

On motion of Senator Rees the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

PETITIONS AND MEMORIALS

Senator Ethell presented a petition from miners and wives of miners of Cincinnati endorsing House File 395 relative to wash houses at mines.

Senator Price presented petitions from miners and wives of miners of Bucknell endorsing House File 395.

Senator Darting presented petitions from miners and wives of miners of Tipperary endorsing House File 395.

All were referred to the sifting committee.

REPORT OF SIFTING COMMITTEE

April 11, 1923.

MR. PRESIDENT: Your sifting committee to whom was referred the following bill beg leave to report they have had same under consideration and beg leave to report the same be placed on the calendar: Senate File. No. 612.

GEO. B. PERKINS, *Chairman.*

Senator Smith moved that Senate Files Nos. 625, 626 and 627 be withdrawn from further consideration, which motion prevailed.

Senator Gilchrist moved that the Senate express their appreciation to the special committee on taxation, appointed in the Thirty-ninth General Assembly, which motion prevailed.

President Hammill added his personal thanks and appreciation.

HOUSE AMENDMENTS CONSIDERED

Senator Kimberly called up for consideration Senate File No. 354 amended by the House, and moved that the Senate concur in the amendments found on pages 1419 and 1420 of Senate Journal of April 10th.

Senator Abben invoked rule 8.

Senator Kimberly moved that Senator Mead be excused from this roll call, which motion prevailed.

On the question "Shall the Senate concur?" the vote was:

Ayes, 15.

Browne	Johnston	Rees	Shinn
Buser	McIntosh	Romkey	Snook
Campbell	Nelson	Schmedika	Tuck
Ethell	Price	Shane	

Nays, 33.

Abben	Cessna	Horchem	Slosson
Adams	Darting	Kimberly	Smith
Baird	Dutcher	Mantz	Stoddard
Banta	Fulton	Newberry	Thurston
Bergman	Gilchrist	Olson	White
Bowman	Goodwin	Perkins	Wichman
Brookhart	Hale	Reed	
Brookins	Hartman	Scott	
Caldwell	Holdoegel	Shaff	

Absent or not voting, 2

Haskell Mead

The Senate refused to concur in the House amendments.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 137, 391, 400, 576, 582, 626, 789, 405, 510, 637, 638, 729, 738 and House Joint Resolution No. 8.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 5, 67, 95, 143 and 742.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate. Senate Files Nos. 5, 67, 95, 143 and 742.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 11th day of April, 1923, sent to the Governor for his approval: Senate Files Nos. 5, 67, 95, 143 and 742.

F. C. GILCHRIST, *Chairman.*

Report adopted.

PROOF OF PUBLICATION

ALBIA, IOWA, APRIL 9, 1923.

This is to certify that the notice of a bill for the legalization of certain warrants issued by the board of supervisors of Monroe county, Iowa, was printed one consecutive week in the Albia Union-Republican, a semi-weekly newspaper of general circulation in Monroe county, the dates of said publication are as follows: April 9, 1923.

By S. W. WILSON, *Manager.*

Subscribed and sworn to before me this 9th day of April, 1923.

(SEAL)

MADGE ELIET, *Notary Public.*

AMENDMENT FILED

MR. PRESIDENT: We move to amend Senate File No. 465 by renumbering sections 3 and 4 so as to read 4 and 5 respectively, and to insert the following to be known as section 3:

"Sec. 3. There is hereby appropriated out of any money in the state treasury not otherwise appropriated to the state board of education, the sum of one hundred and twenty-five thousand dollars (\$125,000.00) annually hereafter beginning July 1, 1923, for the purpose of providing

dermitories, including sites, buildings and equipment, for the use of students at the Iowa State Teachers' College".

BEN C. ABBEN, JR.

H. C. WHITE.

M. L. BOWMAN.

W. A. CALDWELL.

H. C. ADAMS.

W. J. GOODWIN.

GEO. B. PERKINS.

B. M. STODDARD.

P. C. HOLDOEGEL.

J. E. WICHMAN.

B. J. HORCHEM.

J. K. HALE.

H. J. MANTZ.

CHAS. OLSON.

CHAS. M. DUTCHER.

On motion of Senator Wichman 500 extra copies of Senate File No. 361 were ordered printed.

THIRD READING OF BILLS

On motion of Senator Bowman Senate File No. 462, a bill for an act to make appropriations for the State University of Iowa, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers College, and the Iowa School for the Deaf, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out of section one (1) the following: "Department of Homeopathic Materia Medica and Therapeutics (To meet the provisions of chapter 109, acts of the Thirty-eighth General Assembly) (compiled code, section 2348)—\$30,000.00."

Also amend section one (1) by striking out the words and figures "four hundred twelve thousand dollars (\$412,000.00) in lines three and four and inserting in lieu thereof the following: "three hundred eighty-two thousand dollars (\$382,000.00)."

Amend section one (1) by striking out the figures "\$412,000.00" in line twelve (12) thereof and inserting in lieu thereof the figures "\$382,000.00".

Senator Price moved that the time limit for debate on the consideration of Senate File No. 462 be removed, which motion was lost, it taking a two-thirds vote to suspend the rule.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking from section one, lines seven, eight, nine and ten.

Also change words and figures "four hundred twelve thousand (412,000)" to words and figures "three hundred ninety-two thousand (392,000)" wherever they appear in section one.

Senator Banta raised the point of order that the section referred to in this amendment had been stricken by the adoption of committee amendments.

The President held the point well taken.

Senator Buser withdrew his amendment.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking line 8 from section 5.

Also, amend by striking the figures "\$59,000.00" and inserting in lieu thereof the figures "\$47,000.00" in section 5.

Senator Brookhart offered the following amendment to the amendment and moved its adoption:

Add to the amendment the following:

Also amend by striking from lines 3 and 4 of section 5 the words and figures "fifty-nine thousand dollars (\$59,000.00)" and inserting in lieu thereof the words and figures "forty-seven thousand dollars (\$47,000.00)".

The amendment to the amendment was adopted.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 24.

Abben	Campbell	McIntosh	Shane
Bergman	Cessna	Nelson	Shinn
Brookhart	Ethell	Price	Slosson
Brookins	Fulton	Rees	Snook
Browne	Hartman	Romkey	Thurston
Buser	Johnston	Schmedika	Tuck

Nays, 25.

Adams	Dutcher	Kimberly	Scott
Baird	Gilchrist	Mantz	Shaff
Banta	Goodwin	Mead	Smith
Bowman	Hale	Newberry	Stoddard
Caldwell	Holdoegel	Olson	White
Darting	Horchem	Perkins	Wichman
			Reed

Absent or not voting, 1.

Haskell

The amendment was lost.

Senator Shinn offered the following amendment and moved its adoption:

Amend by striking from lines 3 and 4 of section 1 the words and figures "three hundred eighty-two thousand dollars (\$382,000.00)" and

inserting in lieu thereof the words and figures "three hundred seventy-seven thousand dollars (\$377,000.00)".

Also amend by striking out lines 12 and 13 of section 1 and inserting in lieu thereof "total, \$377,000.00"

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 26.

Abben	Darting	Nelson	Slosson
Brookhart	Ethell	Price	Smith
Brookins	Fulton	Rees	Snook
Browne	Hartman	Romkey	Thurston
Buser	Johnston	Schmedika	Tuck
Campbell	McIntosh	Shane	
Cessna	Mead	Shinn	

Nays, 23.

Adams	Dutcher	Kimberly	Scott
Baird	Gilchrist	Mantz	Shaff
Banta	Goodwin	Newberry	Stoddard
Bergman	Hale	Olson	White
Bowman	Holdoegel	Perkins	Wichman
Caldwell	Horchem	Reed	

Absent or not voting, 1.

Haskell

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking from section 3 of the bill lines 9, 10, 11, 12 and 13.

Also amend by striking the words and figures "three hundred seventy-four thousand five hundred dollars (\$374,500.00)" and inserting in lieu thereof the words and figures "two hundred fifty-seven thousand five hundred dollars (\$257,500.00)".

Senator Banta offered the following amendment as a substitute for Senator Buser's amendment and moved its adoption:

Amend by striking out of section 3 the figures "\$15,000.00" in line 9 and substituting the figures "\$5,000.00", and by striking out the figures "\$50,000.00" in line 10 and substituting the figures "\$25,000.00".

Also amend by striking the words and figures "three hundred seventy-four thousand five hundred dollars (\$374,500.00)" and inserting in lieu thereof the words and figures "three hundred thirty-nine thousand five hundred dollars (\$339,500.00)".

Senator Stoddard moved that the Senate adjourn until 9 a. m. Thursday.

Senator White moved the previous question as a substitute motion.

Senator Buser raised the point of order that a motion to adjourn had been made and Senator White's motion was out of order.

The President held the point well taken.

The Journal of April 10th was corrected and approved.

Senator Stoddard's motion prevailed and the Senate adjourned until 9 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 12, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. C. E. Hawthorne, pastor of the United Presbyterian church of Albia, Iowa.

On motion of Senator Shinn rule 33 was suspended for the day.

INTRODUCTION OF BILLS

Senate File No. 746, by sifting committee, a bill for an act to legalize warrants issued by the board of supervisors of Dickinson county, Iowa, and to authorize said Board to issue bonds to fund said warrants.

Read first and second times and placed on the calendar.

Senate File No. 747, by committee on public schools, a bill for an act providing that the board of directors of independent and city or town school districts may in certain cases transfer any excess in the general fund to the school house fund.

Read first and second times and placed on the calendar.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate House Files Nos. 137, 391, 400, 576, 582, 626, 789, 405, 510, 637, 638, 729, and 738, and House Joint Resolution No. 8.

PRICE MEMORIAL COMMITTEE

The President appointed as a memorial committee for Senator Richard Price, former member from Madison-Adair district, Senators Smith, Hartman and Mantz.

HOUSE CONCURRENT RESOLUTION CONSIDERED

Senator Goodwin called up the following resolution and moved its adoption:

Whereas, Information has come to many interested persons in Iowa that a vacancy is impending in the ministerial post to Sweden, and

Whereas, Iowa has had but a limited representation in the diplomatic service and none for many years, and

Whereas, It is highly desirable that this post should be filled by an Iowa man, and

Whereas, The John Ericson League of Iowa has proposed one of Iowa's foremost educators, Dr. Alfred J. Pearson, of Drake University, for appointment to this position, and the President is giving serious consideration to said appointment, therefore,

Be It Resolved by the House, the Senate concurring, That the President of the United States is urged to give favorable consideration to the proposed appointment.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 38.

Abben	Dutcher	McIntosh	Shinn
Adams	Ethell	Mead	Slosson
Banta	Fulton	Nelson	Smith
Bowman	Gilchrist	Newberry	Snook
Brookins	Goodwin	Olson	Stoddard
Browne	Hartman	Reed	Thurston
Buser	Holdoegel	Rees	Tuck
Caldwell	Horchem	Romkey	Wichman
Cessna	Johnston	Schmedika	
Darting	Kimberly	Shaff	

Nays, none.

Absent or not voting, 12

Baird	Campbell	Mantz	Scott
Bergman	Hale	Perkins	Shane
Brookhart	Haskell	Price	White

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

CONCURRENT RESOLUTION

Senator Cessna offered the following resolution:

Resolved by the Senate, the House of Representatives concurring, That the state board of education and the board of control of state institutions are hereby directed, separately, and each board for itself, to file on or before November first, 1924, with the Governor an itemized and detailed statement showing all sums of money which said board will ask to be made by the Forty-first General Assembly as appropriations for the various institutions under the control and management of said board, and the specific purpose for which each of the various sums will be asked; that forthwith after the filing of said statement the joint standing committee on retrenchment and reform shall meet at the state capitol and, in conjunction with the Governor take such steps and make such investigation as will enable the said committee to report in writing to the General Assembly the exact needs of said various institutions in the way of appropriations; that in making said investigation the members of the committee shall act without compensation but shall be reimbursed for their actual expenses.

Be It Further Resolved, That the report herein referred to shall be made by said committee within ten days after the organization of the ensuing General Assembly.

By unanimous consent on request of Senator Cessna the resolution was taken up and considered.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 33.

Abben	Ethell	McIntosh	Schmedika
Adams	Fulton	Mantz	Shaff
Brookhart	Gilchrist	Mead	Shinn
Brookins	Goodwin	Newberry	Smith
Browne	Hartman	Olson	Snook
Buser	Holdoegel	Price	Stoddard
Caldwell	Horchem	Rees	Tuck
Cessna	Kimberly	Romkey	Wichman
Darting			

Nays, none.

Absent or not voting, 17.

Baird	Dutcher	Nelson	Shane
Banta	Hale	Perkins	Slosson
Bergman	Haskell	Reed	Thurston
Bowman	Johnston	Scott	White
Campbell			

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 604 by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. That section one (1) of Senate File number three hundred forty-three (343), laws of the Fortieth General Assembly, be and it is hereby amended by striking from line four (4) of said section the word 'legally'.

Section 2. That section two (2) of Senate File number three hundred forty-three (343), laws of the Fortieth General Assembly, be and it is hereby amended by adding to said section the following:

(5) To expenditures for and on account of county activities authorized by law, during the period beginning July 4, 1923, and ending December 31, 1923, and warrants may be issued therefor.

(6) To expenditures of every kind and character for the funding and refunding of legal obligations or indebtedness of the county by bonding or otherwise as provided by law, which obligations or indebtedness have been originally incurred prior to January first, 1924, on the part of the county."

P. C. HOLDOEGEL.

MR. PRESIDENT: I move to amend Senate File No. 604 by striking out all after the enacting clause and substituting the following:

"Section 1. That section one (1) of Senate File number three hundred forty-three (343), laws of the Fortieth General Assembly, be and it is hereby amended by striking from line four (4) of said section the word 'legally'.

"Sec. 2. That section two (2) of Senate File number three hundred forty-three (343), laws of the Fortieth General Assembly, be and it is hereby amended by adding to said section the following:

"(5) To expenditures for and on account of county activities authorized by law, during the period beginning July 4, 1923, and ending December 31, 1923, and warrants may be issued therefor. But in no event shall this provision be so construed as to authorize or permit entering into contracts of any kind or character, the execution of any payment for which shall extend beyond December 1, 1923.'"

T. C. CRESSNA.

Senator Price moved that the sifting committee be directed to return Senate File 604 and that it be made a special order for 1:30 p. m. today.

Senator Romkey invoked rule 8.

On the question "Shall the motion prevail?" the vote was:

Ayes, 35.

Adams	Campbell	Kimberly	Schmedika
Banta	Cessna	McIntosh	Shinn
Bergman	Fulton	Mead	Slosson
Bowman	Gilchrist	Nelson	Smith
Brookhart	Goodwin	Newberry	Snook
Brookins	Hale	Price	Thurston
Browne	Hartman	Reed	Tuck
Buser	Holdoegel	Rees	Wichman
Caldwell	Johnston	Romkey	

Nays, 14.

Abben	Ethell	Perkins	Stoddard
Baird	Horchem	Scott	White
Darting	Mantz	Shaff	
Dutcher	Olson	Shane	

Absent or not voting, 1.

Haskell

The motion having received the necessary two-thirds vote was adopted.

Senator Shane moved that the sifting committee be abolished and all bills placed on the calendar.

On the question "Shall the motion prevail?" the vote was:

Ayes, 15.

Buser	Hale	Mantz	Shaff
Campbell	Hartman	Mead	Smith
Cessna	Johnston	Rees	White
Darting	McIntosh	Romkey	

Nays, 30.

Abben	Dutcher	Nelson	Slosson
Baird	Ethell	Newberry	Snook
Banta	Fulton	Olson	Stoddard
Bergman	Gilchrist	Price	Thurston
Bowman	Goodwin	Schmedika	Tuck
Brookhart	Holdoegel	Scott	Wichman
Brookins	Horchem	Shane	
Caldwell	Kimberly	Shinn	

Absent or not voting, 5.

Adams	Haskell	Perkins	Reed
Browne			

The motion was lost.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 462.

Senator Price moved that the rules limiting a Senator to one discussion of a matter be suspended in favor of Senator Banta.

The motion was lost.

Senator White moved the previous question.

On the question "Shall the previous question be ordered?" the vote was:

Ayes, 27.

Abben	Dutcher	Mead	Shane
Adams	Gilchrist	Newberry	Slosson
Baird	Hale	Olson	Smith
Banta	Holdoegel	Perkins	Stoddard
Bowman	Johnston	Reed	White
Caldwell	Kimberly	Scott	Wichman
Darting	Mantz	Shaff	

Nays, 22.

Bergman	Cessna	McIntosh	Shinn
Brookhart	Ethell	Nelson	Snook
Brookins	Fulton	Price	Thurston
Browne	Goodwin	Rees	Tuck
Buser	Hartman	Romkey	
Campbell	Horchem	Schmedika	

Absent or not voting, 1.

Haskell

The motion prevailed and the previous question was ordered.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking from section 3 of the bill lines 9, 10, 11, 12 and 13.

Also amend by striking the words and figures "three hundred seventy-four thousand five hundred dollars (\$374,500.00)" and inserting in lieu thereof the words and figures "two hundred fifty-seven thousand five hundred dollars (\$257,500.00)".

Senator Banta offered the following amendment as a substitute for Senator Buser's amendment and moved its adoption:

Amend by striking out of section 3 the figures "\$15,000.00" in line 9 and substituting the figures "\$5,000.00", and by striking out the figures "\$50,000.00" in line 10 and substituting the figures "\$25,000.00".

Also amend by striking the words and figures "three hundred seventy-four thousand five hundred dollars (\$374,500.00)" and inserting in lieu thereof the words and figures "three hundred thirty-nine thousand five hundred dollars (\$339,500.00)".

On the question "Shall Senator Banta's amendment be substituted for the one offered by Senator Buser?" the vote was:

Ayes, 23.

Abben	Gilchrist	Mantz	Scott
Adams	Goodwin	Mead	Shaff
Baird	Hale	Newberry	Stoddard
Banta	Holdoegel	Olson	White
Bowman	Horchem	Perkins	Wichman
Dutcher	Kimberly	Reed	

Nays, 26.

Bergman	Shane	McIntosh	Slosson
Brookhart	Cessna	Nelson	Smith
Brookins	Darting	Price	Snook
Browne	Ethell	Rees	Thurston
Buser	Fulton	Romkey	Tuck
Caldwell	Hartman	Schmedika	
Campbell	Johnston	Shinn	

Absent or not voting, 1.

Haskell

The motion was lost.

On the question "Shall the amendment offered by Senator Buser be adopted?" the vote was:

Ayes, 25.

Abben	Cessna	McIntosh	Shane
Bergman	Ethell	Nelson	Shinn
Brookhart	Fulton	Price	Smith
Brookins	Hartman	Rees	Snook
Browne	Johnston	Romkey	Thurston
Buser	Kimberly	Schmedika	Tuck
Campbell			

Nays, 24.

Adams	Dutcher	Mantz	Scott
Baird	Gilchrist	Mead	Shaff
Banta	Goodwin	Newberry	Slosson
Bowman	Hale	Olson	Stoddard
Caldwell	Holdoegel	Perkins	White
Darting	Horchem	Reed	Wichman

Absent or not voting, 1.

Haskell

The amendment was adopted.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out the enacting clause.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 22.

Bergman	Cessna	Nelson	Shinn
Brookhart	Ethell	Price	Snook
Brookins	Fulton	Rees	Thurston
Browne	Hartman	Romkey	Tuck
Buser	Johnston	Schmedika	
Campbell	McIntosh	Shane	

Nays, 27.

Abben	Dutcher	Mantz	Shaff
Adams	Gilchrist	Mead	Slosson
Baird	Goodwin	Newberry	Smith
Banta	Hale	Olson	Stoddard
Bowman	Holdoegel	Perkins	White
Caldwell	Horchem	Reed	Wichman
Darting	Kimberly	Scott	

Absent or not voting, 1.

Haskell

The amendment was lost.

Senator Schmedika offered the following amendment and moved its adoption:

Amend by striking out section 1 and by striking out of section 2 the words and figures "five hundred thousand dollars (\$500,000.00)" and inserting in lieu thereof the words and figures "two hundred fifty thousand dollars (\$250,000.00)", and amend by renumbering section 2 as section 1.

Senator White moved the previous question, which motion prevailed and the previous question was ordered.

On the question "Shall Senator Schmedika's amendment be adopted?" the vote was:

Ayes, 23.

Bergman	Cessna	Mead	Shane
Brookhart	Ethell	Nelson	Shinn
Brookins	Fulton	Price	Snook
Browne	Hartman	Rees	Thurston
Buser	Johnston	Romkey	Tuck
Campbell	McIntosh	Schmedika	

Nays, 26.

Abben	Dutcher	Mantz	Slosson
Adams	Gilchrist	Newberry	Smith
Baird	Goodwin	Olson	Stoddard
Banta	Hale	Perkins	White
Bowman	Holdoegel	Reed	Wichman
Caldwell	Horchem	Scott	
Darting	Kimberly	Shaff	

Absent or not voting, 1.

Haskell

The amendment was lost.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking lines 7 and 8 from section 4 and by changing the words and figures in line 4 to "forty-five thousand dollars (\$45,000.00)" and the figures in line 12 to "\$45,000.00".

Senator Abben raised the point of order that the previous question had been ordered and this amendment could not be considered.

The President held the point not well taken, as the amendment had been filed before the previous question was ordered.

Senator Buser raised the point of order that the President had ruled that the Senate vote on the amendment and Senator Bowman's remarks were out of order.

The President held the point well taken.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 22.

Bergman	Cessna	Nelson	Shinn
Brokhart	Ethell	Price	Snook
Brookins	Fulton	Rees	Thurston
Browne	Hartman	Romkey	Tuck
Buser	Johnston	Schmedika	
Campbell	McIntosh	Shane	

Nays, 27.

Abben	Dutcher	Mantz	Shaff
Adams	Gilchrist	Mead	Slosson
Baird	Goodwin	Newberry	Smith
Banta	Hale	Olson	Stoddard
Bowman	Holdoegel	Perkins	White
Caldwell	Horchem	Reed	Wichman
Darting	Kimberly	Scott	

Absent or not voting, 1.

Haskell

The amendment was lost.

The bill was read for information.

Senator Bowman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Abben	Darting	Kimberly	Scott
Adams	Dutcher	Mantz	Shaff
Baird	Gilchrist	Mead	Slosson
Banta	Goodwin	Newberry	Smith
Bergman	Hale	Olson	Stoddard
Bowman	Holdoegel	Perkins	White
Caldwell	Horchem	Reed	Wichman

Nays, 21.

Brookhart	Ethell	Nelson	Shane
Brookins	Fulton	Price	Shinn
Browne	Hartman	Rees	Snook
Buser	Johnston	Romkey	Thurston
Campbell	McIntosh	Schmedika	Tuck
Cessna			

Absent or not voting, 1.

Haskell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Dutcher Senate File No. 464, a bill for an act to make appropriation for the construction of buildings and the purchase of land at the state university of Iowa, and the Iowa state college of agriculture and mechanic arts, 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 from lines three (3) and four (4) of section one (1), the words and figures "eight hundred thousand dollars (\$800,000.00)" and substitute therefor the words and figures "two hundred fifty thousand dollars (\$250,000.00)."

Amend by striking from line four (4), section two (2), the words and figures "eight hundred thousand dollars (\$800,000.00)" and substitute therefor the words and figures "five hundred thousand dollars (\$500,000.00)."

Senator Buser raised the point of order that Senator Baird was not discussing the question.

The President held the point not well taken.

Further action was deferred.

MESSAGES FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendment to House File No. 469, relating to levees, drains and water courses.

Also, that the House has amended and concurred in Senate amendments to House File No. 629, relating to the pollution of the waters of any stream, waterway or lake of this state.

Also, that the House has concurred in Senate amendment to House File No. 824, relating to soldiers' exemption and providing for a refund for taxes paid to the amount of the exemption for the year 1922.

A. C. GUSTAFSON, *Chief Clerk*.

Senator Tuck moved that the Senate adjourn until 1:30 p. m., which motion prevailed.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Ham-mill presiding.

On motion of Senator Price Senate File No. 717, a bill for an act making it unlawful to place or deposit in, or to take, project, or cause to be taken or projected into any public place, anything that emits any noxious, annoying, offensive or dangerous substance, a committee bill, was taken up and considered.

The bill was read for information.

Senator Price moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 46.

Abben	Darting	McIntosh	Schmedfka
Adams	Dutcher	Mantz	Scott
Baird	Ethell	Mead	Shane
Banta	Fulton	Nelson	Shinn
Bergman	Gilchrist	Newberry	Slosson
Bowman	Goodwin	Olson	Smith
Brookhart	Hale	Perkins	Snook
Brookins	Hartman	Price	Stoddard
Browne	Holdoegel	Reed	Thurston
Caldwell	Horchem	Rees	Tuck
Campbell	Johnston	Romkey	White
Cessna			Wichman

Nays, none.

Absent or not voting, 4.

Buser	Haskell	Kimberly	Shaff
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

The Senate resumed consideration of Senate File No. 464.

The roll call showed the following senators present:

Abben	Cessna	McIntosh	Scott
Adams	Darting	Mantz	Shane
Baird	Dutcher	Mead	Shinn
Banta	Ethell	Nelson	Slosson
Bergman	Fulton	Newberry	Smith
Bowman	Gilchrist	Olson	Snook
Brookhart	Goodwin	Perkins	Stoddard
Brookins	Hale	Price	Thurston
Browne	Hartman	Reed	Tuck
Buser	Holdoegel	Rees	White
Caldwell	Horchem	Romkey	Wichman
Campbell	Johnston	Schmedfka	

Senators Kimberly and Shaff appeared in the Senate chamber and the call was complete.

The bill was read for information.

Senator Dutcher moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Abben	Darting	Kimberly	Scott
Adams	Dutcher	Mantz	Shaff
Baird	Gilchrist	Mead	Slosson
Banta	Goodwin	Newberry	Smith
Bergman	Hale	Olson	Stoddard
Bowman	Holdoegel	Perkins	White
Caldwell	Horchem	Reed	Wichman

Nays, 21.

Brookhart	Ethell	Price	Snook
Brookins	Fulton	Rees	Thurston
Browne	Hartman	Romkey	Tuck
Buser	Johnston	Schmedika	
Campbell	McIntosh	Shane	
Cessna	Nelson	Shinn	

Absent or not voting, 1.

Haskell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Holdoegel Senate File No. 465, a bill for an act to make appropriations to the State University of Iowa, and the Iowa State College of Agriculture and Mechanic Arts, for the purpose of providing dormitories at Iowa City and at Ames, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause.

Senator Smith moved the previous question, which motion prevailed and the previous question was ordered.

Senator Wichman raised the point of order that the amendment seeks to strike out all after the enacting clause which leaves a bill that has no meaning.

The President held the point well taken.

Senator Price moved to substitute for his amendment the following:

Amend by striking out the enacting clause.

Senator Bowman raised the point of order that the previous question had been ordered and this action could not be taken.

The President held the point well taken.

By unanimous consent on request of Senator Smith the substitution was made.

On the question "Shall the enacting clause be struck out?" the vote was:

Ayes, 22.

Bergman	Cessna	Nelson	Shinn
Brookhart	Ethell	Price	Snook
Brookins	Fulton	Rees	Thurston
Browne	Hartman	Romkey	Tuck
Buser	Johnston	Schmedika	
Campbell	McIntosh	Shane	

Nays, 27.

Abben	Dutcher	Mantz	Shaff
Adams	Gilchrist	Mead	Slosson
Baird	Goodwin	Newberry	Smith
Banta	Hale	Olson	Stoddard
Bowman	Holdoegel	Perkins	White
Caldwell	Horchem	Reed	Wichman
Darting	Kimberly	Scott	

Absent or not voting, 1.

Haskell

The amendment was lost.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out of line 4 of section 1 the word "hereafter" and inserting in lieu thereof the words "for the biennium".

Also amend by striking from line 4 of section 2 the word "hereafter" and inserting in lieu thereof the words "for the biennium beginning".

Senator Banta offered the following amendment to the amendment and moved its adoption:

Amend the amendment by adding: Also amend by striking the words "of each year thereafter" from line 3 of section 4 and inserting in lieu thereof the figures "1924".

The amendment to the amendment was adopted.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 45.

Abben	Ethell	Mead	Shaff
Baird	Fulton	Nelson	Shane
Banta	Gilchrist	Newberry	Shinn
Bergman	Goodwin	Olson	Slosson
Brookhart	Hale	Perkins	Smith
Brookins	Hartman	Price	Snook
Browne	Horchem	Reed	Stoddard
Buser	Johnston	Rees	Thurston
Caldwell	Kimberly	Romkey	Tuck
Campbell	McIntosh	Schmedika	White
Cessna	Mantz	Scott	Wichman
Darting			

Nays, 4.

Adams	Bowman	Dutcher	Holdoegel
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Absent or not voting, 1.

Haskell

The amendment was adopted.

The following amendment, previously filed, was considered:

Amend Senate File No. 465 by renumbering sections 3 and 4 so as to read 4 and 5 respectively, and to insert the following to be known as section 3:

"Sec. 3. There is hereby appropriated out of any money in the state treasury not otherwise appropriated to the state board of education, the sum of one hundred and twenty-five thousand dollars (\$125,000.00) annually hereafter beginning July 1, 1923, for the purpose of providing dormitories, including sites, buildings and equipment, for the use of students at the Iowa State Teachers' College".

Senator Brookhart offered the following amendment to the amendment and moved its adoption:

Amend by striking from line 4 the word "hereafter" and inserting in lieu thereof the words "for the biennium".

The amendment to the amendment was adopted.

The amendment was adopted.

The bill was read for information.

Senator Holdoegel moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Abben	Darting	Mantz	Shaff
Adams	Dutcher	Mead	Slosson
Baird	Gilchrist	Newberry	Smith
Banta	Goodwin	Olson	Stoddard
Bergman	Hale	Perkins	White
Bowman	Holdoegel	Reed	Wichman
Brookhart	Horchem	Rees	
Caldwell	Kimberly	Scott	

Nays, 19.

Brookins	Ethell	Nelson	Shinn
Browne	Fulton	Price	Snook
Buser	Hartman	Romkey	Thurston
Campbell	Johnston	Schmedika	Tuck
Cessna	McIntosh	Shane	

Absent or not voting, 1.

Haskell

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

By unanimous consent on request of Senator Holdoegel the word "and" was stricken from the last line of the title and the words "and at Cedar Falls" were added at the end of the title. Also there were inserted after the word "Arts," in line two (2) of the title the words "and the Iowa State Teachers' College."

On motion of Senator Schmedika Senate File No. 739, a bill for an act to repeal section fourteen hundred three (1403) of the code, and section fourteen hundred thirteen (1413) of the code as amended by chapter sixty-six (66), acts Thirty-ninth (39) General Assembly, and to enact substitutes therefor, relating to the payment of taxes and penalties thereon, was taken up and considered.

Senator Schmedika offered the following amendment and moved its adoption:

Amend Senate File No. 739 by adding thereto the following sections:

"Sec. 3. That section fourteen hundred eighteen (1418) of the code, (C. C. 4667) is amended by striking from the first line thereof the word 'first' and by inserting in lieu thereof the word 'third'."

"Sec. 4. That section one thousand five hundred forty-three (1543) of the code be and the same is hereby amended by striking out the word 'April' in line two (2) and substituting in lieu thereof the word 'June' and by striking out the word 'October' as it appears in line two (2) of said section and inserting in lieu thereof the word 'December' and by striking out of line six (6) of said section the word 'May' and substituting in lieu thereof the word 'July' and by striking out of said line six (6) the word 'November' and inserting in lieu thereof the word 'January'."

Senator Brookhart offered the following amendment to the amendment and moved its adoption:

Amend by striking out the word "June" and inserting in lieu thereof the word "May"; by striking out the word "December" and inserting the word "November"; by striking the word "July" and inserting "June".

The amendment to the amendment was adopted.

The amendment was adopted.

The bill was read for information.

Senator Schmedika moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Cessna	McIntosh	Shane
Adams	Darting	Mantz	Shinn
Banta	Ethell	Mead	Slosson
Bergman	Gilchrist	Nelson	Snook
Bowman	Hale	Olson	Stoddard
Brookhart	Hartman	Perkins	Thurston
Brookins	Holdoegel	Price	Tuck
Browne	Horchem	Romkey	White
Caldwell	Johnston	Schmedika	Wichman
Campbell	Kimberly	Shaff	

Nays, 1.

Rees

Absent or not voting, 10.

Baird	Fulton	Newberry	Smith
Buser	Goodwin	Reed	
Dutcher	Haskell	Scott	

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Schmedika offered the following amendment to the title:

Amend the title to Senate File 739 by striking out the present title and inserting in lieu thereof the following:

"A BILL FOR

An act to repeal section fourteen hundred three (1403) of the code (C. C. 4651), and section fourteen hundred thirteen (1413) of the code as amended by chapter sixty-six (66), acts Thirty-ninth (39) General Assembly (S. C. C. 4659), and to enact substitutes therefor, and to amend section fourteen hundred eighteen (1418) of the code (C. C. 4667), relating to the payment of taxes and to penalties thereon, and to the time of holding tax sale."

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Goodwin, Senate File No. 284, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Campbell	Johnston	Scott
Adams	Darting	Kimberly	Shaff
Baird	Ethell	Mantz	Shane
Banta	Fulton	Nelson	Slosson
Berginan	Gilchrist	Newberry	Snook
Bowman	Goodwin	Olson	Thurston
Brookhart	Hale	Perkins	Tuck
Brookins	Hartman	Romkey	White
Caldwell	Horchem	Schmedika	Wichman

Nays, none.

Absent or not voting, 14.

Browne	Haskell	Price	Smith
Buser	Holdoegel	Reed	Stoddard
Cessna	McIntosh	Rees	
Dutcher	Mead	Shinn	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Darting Senate File No. 370, a bill for an act to establish and locate three additional normal training schools, and make appropriations for purchase of sites, erection of buildings and support of such schools, was taken up and considered, the committee report recommending indefinite postponement having been rejected.

Senator Darting offered the following amendment and moved its adoption:

Amend by striking out the word "five" in line 2 of section 1 and inserting in lieu thereof the word "six".

The amendment was adopted.

Senator Caldwell offered the following amendment and moved its adoption:

Amend by striking the words "Washington, Washington county" from lines 3 and 4 of section 2 and inserting in lieu thereof the words "Otumwa, Wapello county".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 20.

Banta	Fulton	Mead	Scott
Brookins	Goodwin	Nelson	Shane
Caldwell	Hartman	Olson	Snook
Cessna	Holdoegel	Perkins	Stoddard
Ethell	Johnston	Price	White

Nays, 21.

Abben	Darting	Newberry	Shaff
Baird	Gilchrist	Reed	Smith
Bergman	Hale	Rees	Thurston
Brookhart	Horchem	Romkey	Tuck
Buser	Kimberly	Schmedika	Wichman
Campbell			

Absent or not voting, 9.

Adams	Dutcher	McIntosh	Shinn
Bowman	Haskell	Mantz	Slosson
Browne			

The amendment was lost.

Senator Brookins offered the following amendment and moved its adoption:

Amend by striking the words "Storm Lake, Buena Vista county" and inserting in lieu thereof the words "Charles City, Floyd county".

Senator Price offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking therefrom the words "Charles City, Floyd county" and inserting in lieu thereof the words "Albia, Monroe county".

The amendment to the amendment was lost.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 14.

Brookins	Hartman	Olson	Snook
Ethell	Johnston	Price	Thurston
Fulton	Kimberly	Shane	
Goodwin	Nelson	Shinn	

Nays, 27.

Abben	Darting	Mead	Shaff
Baird	Dutcher	Newberry	Slosson
Banta	Gilchrist	Perkins	Smith
Bergman	Hale	Reed	Stoddard
Brookhart	Holdoegel	Rees	White
Buser	Horchem	Romkey	Wichman
Campbell	Mantz	Schmedika	

Absent or not voting, 9.

Adams	Caldwell	Haskell	Scott
Bowman	Cessna	McIntosh	Tuck
Browne			

The amendment was lost.

Senator Price moved the previous question, which motion prevailed and the previous question was ordered.

Senator Ethell offered the following amendment and moved its adoption:

Amend by striking out of lines 3 and 4 the words "Washington, Washington county" and inserting in lieu thereof the words "Bloomfield, Davis county".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 18.

Abben	Ethell	Price	Shinn
Baird	Fulton	Schmedika	Slosson
Bergman	Hartman	Scott	Stoddard
Brookins	Mead	Shane	White
Caldwell	Olson		

Nays, 23.

Banta	Gilchrist	Nelson	Smith
Brookhart	Hale	Newberry	Snook
Buser	Horchem	Perkins	Thurston
Campbell	Johnston	Reed	Tuck
Darting	Kimberly	Rees	Wichman
Dutcher	Mantz	Shaff	

Absent or not voting, 9.

Adams	Cessna	Haskell	McIntosh
Bowman	Goodwin	Holdoegel	Romkey
Browne			

The amendment was lost.

Senator Stoddard offered the following amendment and moved its adoption:

Amend as follows: "Strike out of lines three (3) and four (4), section two (2), the words "one at Washington, Washington county; one at Storm Lake, Buena Vista County", and insert the following in lieu thereof: "The location of the other two schools to be determined by the state board of education"; said board to give due consideration to all donations of sites or other gifts.

Senator Gilchrist raised the point of order that the amendment was out of order as it contained the same matter as the amendments that were just lost.

The President held the point not well taken, as it did not set the same location as the other amendments.

By unanimous consent on request of Senator Campbell time was given Senator Gilchrist to debate this amendment.

The amendment was lost.

Senator Brookins offered the following amendment and moved its adoption:

Amend by inserting in line 3 of section 4 after the figures "(\$250,000.00)" the words "or as much thereof as is necessary".

The amendment was adopted.

Senator Price raised the point of order that no Senator could yield his time to another.

The President held the point well taken.

By unanimous consent on request of Senator Price time was granted to Senators Shinn, Gilchrist and Fulton to debate the main question.

The bill was read for information.

Senator Darting moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 26.

Abben	Dutcher	Mantz	Slosson
Baird	Gilchrist	Mead	Smith
Banta	Hale	Newberry	Stoddard
Brookhart	Holdoegel	Olson	Tuck
Caldwell	Horchem	Perkins	Wichman
Campbell	Kimberly	Scott	
Darting	McIntosh	Shaff	

Nays, 19.

Bergman	Fulton	Price	Shinn
Brookins	Goodwin	Rees	Snook
Buser	Hartman	Romkey	Thurston
Cessna	Johnston	Schmedika	White
Ethell	Nelson	Shane	

Absent or not voting, 5.

Adams	Browne	Haskell	Reed
Bowman			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

COMMUNICATION FROM THE GOVERNOR

April 10, 1923.

Hon. Chas. M. Dutcher,

Senate Chamber.

My dear Senator Dutcher:

I have just this morning examined the memorandum you furnished me yesterday with reference to the status of code revision in the General Assembly.

Last January, at a conference with a joint committee of the Senate and House, a working arrangement was effected and the conclusions arrived at were reduced to writing by Senator Holdoegel, chairman of the Senate committee, delivered to me and published in the press. I reproduce the statement referred to in full:

"At the meeting this afternoon in the Governor's office, at which were present the committee consisting of eight members from the Senate and eight members from the House appointed under the resolution concerning code revision, Lieutenant-Governor Hammill, Speaker Anderson and U. G. Whitney, code editor, together with the Governor, the questions essential to the committee's report were discussed.

The point was clearly brought out that the committee very much doubted that the work of code revision along with the other necessary work of the session could be completed within the limit of one hundred days, because it was the unanimous opinion of the committee that the introduction of bills of general legislation should not in any manner be restricted on account of the code revision work.

It was further developed that in the opinion of the members of the committee, a majority of both houses of the Legislature would probably oppose taking up code revision unless it was definitely understood that if at the end of one hundred days the work was not completed, thereupon an extra session of the legislature to complete the work would be called by the Governor.

Governor Kendall, after the discussion was ended, fully agreed with the position taken by the members of the committee relative to calling a special session at the end of about one hundred days if the work of revision was incomplete, and expressed to the committee his appreciation of the conscientious effort that was being made to co-ordinate the work of the departments of the state to facilitate code revision and to carry it forward to a harmonious completion, and stated further and authorized the publication of the statement, that if the code revision committee, towards the end of the ordinary session of a hundred days, reported to

him that they had made conscientious effort and would not be able to complete the work of code revision in a careful manner, with the general legislation that would be introduced, that he would immediately issue a call for an extra session for the purpose of completing the work of code revision."

I have had no further communication on the subject from the General Assembly, or any committee representing it. I have to say, however, that when the committee shall report to me that the legislature has "made conscientious effort and will not be able to complete the work of code revision in a careful manner" I shall be glad to consider the question of a special session.

Always with personal regard, I am,

Very truly yours,

N. E. KENDALL.

CONFERENCE REPORT ON SENATE FILE 273

Your joint conference committee to whom was referred Senate File No. 273, beg leave to report that they have considered the matters in dispute in which the Senate refused to concur in the House amendments and report that they recommend a compromised report as follows:

That Senate File No. 273 be amended as follows:

NO. 1

By striking out all of section 4 and substituting in lieu thereof the following:

Sec. 4. The taxes collected under the provisions of this act shall be paid into the office of the secretary of state who shall pay the same into the office of the treasurer of state without delay. The treasurer of state shall credit one-third ($\frac{1}{3}$) of the tax so received to the primary road fund of the state to be distributed as other primary road funds. The treasurer of state shall apportion the remainder of said fund so received by him among the various counties of the state in the ratio that the assessed valuation of the property in each county (exclusive of moneys and credits) bears to the assessed valuation of all property in the state (exclusive of moneys and credits). The apportionment shall be made as herein provided.

When each month's collection of the said funds have been received by the treasurer of state, the said funds shall then be apportioned and transmitted by the treasurer of state to the county treasurer of each county in the proportion as above provided, and shall be used by the board of supervisors of the counties for the improvement and maintenance of the secondary road system of said counties on the road system herein provided.

The fund so received by the county treasurer shall be by him kept in a fund known as the "secondary road fund" and shall be by the board of supervisors used for the purpose of grading, draining and gravelling, or otherwise improving and maintaining the county road system in such county and said main traveled roads of the township roads of said county as may be selected by the trustees in each township, which selection shall be approved by the board of supervisors and which county road system as may be so improved shall be deemed to include all extensions of such road system within the limits of any cities or towns in such county; provided, however, that in every county containing a city having a population of nine thousand (9,000) or over, said fund shall be apportioned and used by the several boards of supervisors among the several townships of each county in the ratio that the assessed valuation of the property in each township (exclusive of moneys and credits) bears to the assessed valuation of all property in the county (exclusive of moneys and credits), except that such part of said funds as may not be needed for the improvement and maintenance of such county roads and main traveled township roads within such township may be used by the board of supervisors for the same purpose upon any highways radiating therefrom.

Expenditures within cities or towns shall be made under the direction of the city or town councils, subject to the approval of the board of supervisors.

NO. 2

Amend section five (5) by inserting between the word "sold" and the word "except" the words "or used".

NO. 3

Amend by striking out all of section twelve (12) and substituting in lieu thereof the following:

"Sec. 12. Section fifteen hundred seventy-b two (1570-b2) supplement to the code, 1913, as amended by chapter two hundred forty-two (242) acts of the Thirty-eighth General Assembly (C. C. 2982) is hereby amended by striking out the word "shall" following the figures "1907" in the first line of page 572 of the supplement to the code, 1913, and inserting in lieu thereof the word "may". That the law as it appears in section fifty-five (55), chapter two hundred thirty-seven (237) acts of the Thirty-eighth General Assembly (C. C. 2962) be repealed."

NO. 4

Also amend by adding after section thirteen (13) the following:

"Sec. 14. This act being deemed of immediate importance shall be in

full force and effect from and after its publication in the Des Moines Register and The Iowa Forum, newspapers published in Des Moines, Iowa.

Respectfully submitted,

Chairman Senate Committee.

J. M. SLOSSON.
W. A. CALDWELL.
ED. M. SMITH.
R. P. SCOTT.

Chairman House Committee.

J. C. MCCLUNE.
W. C. EDSON.
FRED C. LOVRIEN.
M. L. HENDERSON.

The report was passed on file.

CONFERENCE COMMITTEE ON SENATE FILE NO. 354

The President appointed as members of the conference committee on Senate File No. 354, Senators Kimberly, Abben, Darting and Hale.

REPORT OF SIFTING COMMITTEE

April 12, 1923.

MR. PRESIDENT: Your sifting committee orders placed on the calendar the following: House Files Nos. 401, 437, 520, 525, 529, 533, 561, 630, 634, 678, 742, 761, 769, 680, 578, 548, 295, 641, and Senate Files Nos. 667, 672, 697 and 632.

GEO. B. PERKINS, *Chairman.*

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 713 as follows:

By striking from lines eight and nine (8 and 9) of the title of the bill as published the words and figures "and section nineteen hundred twenty (1920) of the code, 1897 (C. C. sec. 4516)"; also by striking from line fourteen (14) of the title the words "building and loan associations,".

Also that section two (2) of the bill be amended by striking from lines nine and ten (9 and 10) thereof the words and figures "and section nineteen hundred twenty (1920) of the code, 1897 (C. C. sec. 4516),"; also by striking from line four (4) of section three (3) of the bill the words "building and loan associations,"; also that section six (6) of the bill be amended by striking from lines two and three (2 and 3) thereof the words "building and loan associations,"; also that section fourteen

(14) of said bill be amended by striking from line three (3) thereof the words "building and loan associations,".

Also by striking from section one, lines 26, 27 and 28, the words "shall be divided between the various funds upon the same pro rata basis as other taxes collected in such taxing district are apportioned" and by inserting in lieu thereof "shall be remitted as other state taxes to the treasurer of state and shall become part of the general revenues of the state".

Also by striking out section sixteen (16) thereof and by inserting in lieu thereof the following:

"All income or dividend taxes collected under the provisions of this act shall be remitted to the treasurer of state as other state taxes and shall become a part of the general revenues of the state".

Also to amend the title by striking out the words and figures "thirteen hundred eleven (1311)" as the same appears in such title.

Also to amend section two (2) by striking out of section two the words and figures "thirteen hundred eleven (1311)".

ED. M. SMITH.

MESSAGES 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. 678, a bill for an act relating to working roads.

Also, that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 599, a bill for an act relating to the use of voting machines.

Also, that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 501, a bill for an act relating to the penalty for violation of the provisions of the law relating to the counting of ballots of election.

Also, that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 582, a bill for an act relating to the recording and filing of instruments affecting the title to personal property.

Also, that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 585, a bill for an act relating to the salaries of probation officers in counties of thirty-five thousand or more in population.

Also, that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 292, a bill for an act relating to the straightening of creeks and rivers.

Also, that the House has amended and passed Senate concurrent resolution relating to officers and employees of the General Assembly remaining after adjournment.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 458, a bill for an act to make 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.

Also, that the House insists on its amendments to Senate File No. 354, a bill for an act relating to appropriations for the erection, repair and improvement of buildings, etc., for state institutions, and requests a conference committee and the Speaker has appointed as such conference committee on the part of the House, Representatives Knutson, Elliott, Johnson and Vincent.

A. C. GUSTAFSON, *Chief Clerk*.

PROOFS OF PUBLICATION

State of Iowa, Marion County, ss:

I, M. L. Curtis, being sworn on oath say that I am the publisher of The Knoxville Journal, a weekly newspaper of general circulation published in Marion county, Iowa, and that the legal notice of a proposed bill for the legalization of certain acts and proceedings of the board of supervisors and officers of Marion county, Iowa, was published in said paper one week on April 12, 1923.

M. L. CURTIS.

Subscribed and sworn to before me this 11th day of April, 1923.

JOHN R. HALL,

(SEAL)

Auditor for Marion County

State of Iowa, County of Dickinson, ss.

I, O. E. Smith, on oath depose and say that I am the publisher of The Spirit Lake Beacon, a weekly newspaper published at Spirit Lake, in Dickinson county, Iowa; that the notice of a proposed bill for the legalization of certain warrants authorized and issued by the board of supervisors of Dickinson county, Iowa, and the proceedings of the said board in connection therewith, was published in said newspaper one

consecutive week and that the said publication was on the 12th day of April, 1923.

O. E. SMITH.

Sworn to before me and subscribed in my presence by said O. E. Smith this 12th day of April, 1923.

(SEAL)

L. A. PRICE, *Notary Public*.

State of Iowa, County of Black Hawk, ss:

I, A. W. Peterson, publisher of the Waterloo Evening Courier, a daily newspaper printed in the English language and published in Waterloo, Black Hawk county, Iowa, do solemnly swear that the proposed bill for the legalizing of the proceedings of the city council of Waterloo, Iowa, and warrants issued against the city of Waterloo, Iowa, was published in the English language regularly once in the issue of March 28, 1923, of said newspaper.

A. W. PETERSON.

Subscribed and sworn to before me this 28th day of March, A. D. 1923.

(SEAL)

RAY O. BERRY, *Notary Public*.

On motion of Senator Stoddard, the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call the Senate confirmed the following appointments:

Raymond W. Cassady, of Whiting Iowa, to the office of state secretary of agriculture for a term beginning July 1, 1923, and extending to the second secular day in January, 1925.

J. A. Tracey, of Sioux City, Iowa, to succeed himself to the office of state fire marshal for a term of four years beginning July 1, 1923.

J. R. Murphy, of Ida Grove, Iowa, to succeed himself as a member of the board of parole, for a term of six years beginning July 1, 1923.

J. H. Strief, of Sioux City, Iowa, to succeed himself as a member of the board of control for a term of six years beginning July 1, 1923.

The Senate arose from executive session and resumed regular session.

Senator Wichman moved that an extension of twenty-four hours time be allowed on Senator Adams' motion to reconsider the vote by which House File No. 563 failed to pass the Senate.

On the question "Shall the motion prevail?" the vote was:

Ayes, 27.

Abben	Darting	Horchem	Shane
Adams	Dutcher	Kimberly	Snook
Baird	Ethell	Newberry	Stoddard
Banta	Fulton	Olson	Thurston
Bergman	Gilchrist	Perkins	White
Bowman	Goodwin	Scott	Wichman
Campbell	Holdoegel	Shaff	

Nays, 8.

Hale	Johnston	Romkey	Shinn
Hartman	Price	Schmedika	Tuck

Absent or not voting, 15.

Brookhart	Caldwell	Mantz	Rees
Brookins	Cessna	Mead	Slosson
Browne	Haskell	Nelson	Smith
Buser	McIntosh	Reed	

The roll was called to find what Senators were present, and the following responded:

Abben	Ethell	McIntosh	Shinn
Baird	Fulton	Nelson	Slosson
Bergman	Gilchrist	Newberry	Snook
Bowman	Goodwin	Perkins	Stoddard
Brookhart	Hale	Price	Thurston
Brookins	Hartman	Romkey	Tuck
Campbell	Holdoegel	Schmedika	Wichman
Cessna	Horchem	Scott	
Darting	Johnston	Shaff	
Dutcher	Kimberly	Shane	

There having been 27 affirmative votes cast, a two-thirds majority of those present, the motion prevailed.

The Journal of April 11th was corrected and approved.

On motion of Senator Stoddard the Senate adjourned until 7:30 p. m.

EVENING SESSION

The Senate met pursuant to adjournment, President Hammill 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 Thurston the Senate adjourned until 9:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 13, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Col. L. W. Ainsworth, secretary of the Senate.

On motion of Senator Caldwell rule 33 was suspended for the day.

CONCURRENT RESOLUTION

Senator Adams offered the following resolution:

Be It Resolved by the Senate, the House concurring. That the Honorable Lord Robert Cecil, of England, be extended an invitation to address a joint session in the House chamber today, at 11:45 a. m.

By unanimous consent the resolution was taken up and considered.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 35.

Abben	Ethell	Nelson	Shaff
Adams	Gilchrist	Newberry	Shinn
Banta	Goodwin	Olson	Slosson
Bowman	Haskell	Price	Snook
Brookhart	Holdoegel	Reed	Stoddard
Brookins	Horchem	Rees	Tuck
Caldwell	Johnston	Romkey	White
Darting	Mantz	Schmedika	Wichman
Dutcher	Mead	Scott	

Nays, none.

Absent or not voting, none.

Baird	Campbell	Hartman	Shane
Bergman	Cessna	Kimberly	Smith
Browne	Fulton	McIntosh	Thurston
Buser	Hale	Perkins	

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 amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 546, a bill for an act to authorize special charter cities who have abandoned their charters to transfer funds.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 570, a bill for an act providing for representation by both men and women on the central committees of political parties, etc.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 547, a bill for an act to legalize certain warrants issued by Mills county on the bridge, road and general funds and to authorize the execution and sale of bonds to fund the same.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 618, a bill for an act conferring additional powers on certain cities and relating to the purchase of land along and adjacent to meandered streams, improvement of same, etc.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 700, a bill for an act to provide for physical education and training in health in the public schools of this state.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 314, a bill for an act to legalize the action of the boards of supervisors of Muscatine and Louisa counties relative to the assessments against state lands in drainage district number thirteen (13), located in Muscatine and Louisa counties and to authorize the payment of said assessments.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 728, a bill for an act relating to annual reports of co-operative associations.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 717, a bill for an act relating to expenditures for construction of buildings and bridges by a county.

Also, that the House has concurred in the following Senate concurrent resolution:

Concurrent resolution extending an invitation to Hon. Lord Robert Cecil to address a joint convention, Friday morning at 11:45.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE MESSAGES CONSIDERED

House File No. 717, a bill for an act to amend section four hundred twenty-three (423) of the code, as amended by section four hundred twenty-three (423), supplemental supplement to the code, 1915, chapter three hundred thirty-two (332), acts of the Thirty-seventh General Assembly and chapters seventy-one (71) and seventy-three (73), acts of the Thirty-eighth General Assembly (C. C. 3242) relating to expenditures for construction of buildings and bridges by a county.

Read first and second times and referred to sifting committee.

House File No. 728, a bill for an act to amend section fifteen (15), chapter one hundred twenty-two (122), laws of the Thirty-ninth General Assembly (S. C. C. 5408-a15), relating to annual reports of cooperative associations.

Read first and second times and referred to sifting committee.

HOUSE AMENDMENTS CONSIDERED

Senator Brookins called up for consideration House File No. 629, and moved that the Senate concur in the following House amendment to the Senate amendment:

Amend the Senate amendment to section five (5) of House File No. 629 by striking therefrom the words and figures "three thousand (3,000)" and substituting in lieu thereof the words and figures "four thousand (4,000)".

On the question "Shall the Senate concur?" the vote was:

Ayes, 27.

Abben
Banta
Brookins
Browne
Caldwell
Ethell
Fulton

Gilchrist
Goodwin
Haskell
Holdoegel
Horchem
Johnston
Mantz

Nelson
Newberry
Olson
Price
Reed
Rees
Romkey

Schmedika
Scott
Shinn
Slosson
Snook
Wichman

Nays, none.

Absent or not voting, 23.

Adams	Campbell	Kimberly	Smith
Baird	Cessna	McIntosh	Stoddard
Bergman	Darting	Mead	Thurston
Bowman	Dutcher	Perkins	Tuck
Brookhart	Hale	Shaff	White
Buser	Hartman	Shane	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Cessna Senate File No. 718, a bill for an act to amend section sixteen hundred fifty-seven-n (1657-n), supplement to the code, 1913, as amended by chapter three hundred sixty-five (365), acts Thirty-eighth (38) General Assembly, relating to use of rooms in the state capitol building, and to the furnishing of supplies by the executive council, a committee bill, was taken up and considered.

The bill was read for information.

Senator Cessna moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Abben	Ethell	Mantz	Scott
Banta	Fulton	Nelson	Shaff
Brookins	Gilchrist	Newberry	Shinn
Browne	Goodwin	Price	Slosson
Buser	Hartman	Reed	Snook
Caldwell	Haskell	Rees	Stoddard
Cessna	Holdoegel	Romkey	Tuck
Darting	Horchem	Schmedika	Wichman

Nays, none.

Absent or not voting, 18.

Adams	Campbell	McIntosh	Shane
Baird	Dutcher	Mead	Smith
Bergman	Hale	Olson	Thurston
Bowman	Johnston	Perkins	White
Brookhart	Kimberly		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Caldwell House File No. 352, a bill for an act to provide for the training of teachers for the elementary schools in private colleges, under the direction of the state board of education, and making an appropriation therefor, having been substituted for Senate File 330, was taken up and considered.

Senator Nelson offered the following amendment and moved its adoption:

Amend by striking therefrom all of section five (5).

The amendment was lost.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out sections 2, 3, 4 and 5.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 12.

Bergman	Buser	Price	Shinn
Brookins	Hale	Romkey	Snook
Browne	Nelson	Shaff	Tuck

Nays, 28.

Abben	Darting	Mantz	Scott
Baird	Fulton	Mead	Shane
Panta	Gilchrist	Newberry	Slosson
Brookhart	Goodwin	Olson	Stoddard
Caldwell	Hartman	Perkins	Thurston
Campbell	Haskell	Rees	White
Cessna	Johnston	Schmedika	Wichman

Absent or not voting, 10.

Adams	Ethell	Kimberly	Reed
Bowman	Holdoegel	McIntosh	Smith
Dutcher	Horchem		

The amendment was lost.

Senator Shaff offered the following amendment and moved its adoption:

Amend by inserting after the word "owned" in line 2 of section 1 the words "non-sectarian".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 17.

Adams	Buser	Price	Slosson
Bergman	Hale	Romkey	Smith
Brookhart	Holdoegel	Shaff	Snook
Brookins	Nelson	Shinn	Tuck
Browne			

Nays, 30.

Abben	Ethell	Mantz	Scott
Baird	Fulton	Mead	Shane
Banta	Gilchrist	Newberry	Stoddard
Bowman	Goodwin	Olson	Thurston
Caldwell	Hartman	Perkins	White
Campbell	Haskell	Reed	Wichman
Cessna	Horchem	Rees	
Darting	Johnston	Schmedika	

Absent or not voting, 3.

Dutcher	Kimberly	McIntosh
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The amendment was lost.

The bill was read for information.

Senator Caldwell moved that the reading just had be considered the third reading, which motion prevailed.

Senator Caldwell invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Abben	Darting	Holdoegel	Rees
Baird	Dutcher	Johnston	Schmedika
Banta	Fulton	Mantz	Scott
Bowman	Gilchrist	Mead	Shane
Brookhart	Goodwin	Newberry	Stoddard
Caldwell	Hartman	Olson	Thurston
Cessna	Haskell	Perkins	Wichman

Nays, 19.

Adams	Ethell	Reed	Smith
Bergman	Hale	Romkey	Snook
Brookins	Horchem	Shaff	Tuck
Browne	Nelson	Shinn	White
Buser	Price	Slosson	

Absent or not voting, 3.

Campbell	Kimberly	McIntosh
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Newberry moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Price raised the point of order that under section 31 of the constitution an appropriation of this kind required a two-thirds vote of all members elected.

The President held the point not well taken, saying that this came within the rule of public appropriations and requires only a majority vote.

On motion of Senator Holdoegel, Senate File No. 472, a bill for an act to repeal chapter seventeen (17) of chapter two hundred eighty-seven (287), acts of the Thirty-eighth General Assembly, as amended by chapter three hundred two (302), acts of the Thirty-ninth General Assembly (C. C. 1734) and to enact a substitute therefor, relative to the appropriation for the enforcement of the act to eradicate contagious and infectious diseases among domestic animals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shinn offered the following amendment and moved its adoption:

Amend by striking the words and figures "five hundred thousand dollars (\$500,000.00)" from line 11 of section 1 and inserting in lieu thereof the words and figures "two hundred fifty thousand dollars (\$250,000.00)".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 31.

Baird	Darting	Mead	Shinn
Brookhart	Ethell	Nelson	Slosson
Brookins	Fulton	Price	Smith
Browne	Gilchrist	Reed	Snook
Buser	Hale	Rees	Thurston
Caldwell	Hartman	Romkey	Tuck
Campbell	Haskell	Schmiedika	White
Cessna	Johnston	Shane	

Nays, 11.

Abben	Holdoegel	Newberry	Shaff
Banta	Horchem	Olson	Wichman
Bowman	Mantz	Perkins	

Absent or not voting, 8.

Adams
Bergman

Dutcher
Goodwin

Kimberly
McIntosh

Scott
Stoddard

The amendment was adopted.

Senator Holdoegel asked unanimous consent to withdraw Senate File No. 472 from further consideration. Objection was made.

Senator Wichman raised the point of order that the bill does not change the law and it is not proper to enact it into law.

The President held the point well taken.

Senator Holdoegel moved that the bill be withdrawn from further consideration.

On the question "Shall the bill be withdrawn?" the vote was:

Ayes, 34.

Abben
Baird
Banta
Bowman
Brookhart
Brookins
Caldwell
Cessna
Darting

Dutcher
Fulton
Gilchrist
Hale
Hartman
Haskell
Holdoegel
Horchem
Mantz

Mead
Newberry
Olson
Perkins
Reed
Rees
Scott
Shaff
Shane

Shinn
Slosson
Smith
Stoddard
Tuck
White
Wichman

Nays, 8.

Browne
Campbell

Johnston
Price

Romkey
Schmedika

Snook
Thurston

Absent or not voting, 8.

Adams
Bergman

Buser
Ethell

Goodwin
Kimberly

McIntosh
Nelson

The motion prevailed and the bill was withdrawn from further consideration.

COMMITTEE FROM THE HOUSE

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 the direction of the sergeant-at-arms.

JOINT CONVENTION

As per concurrent resolution duly adopted, the joint session was called to order, Lieutenant-governor John Hammill, President of the Senate, presiding.

The President announced a quorum present and the joint convention duly organized.

Senator Adams of Kossuth moved that a committee of three be appointed, one from the Senate and two from the House, to notify Lord Robert Cecil that the joint convention was ready to receive him.

Motion prevailed and the President appointed as such committee, Senator Adams of Kossuth and Representatives Healy of Hancock and Gallagher of Iowa.

Senator Adams, from the joint committee appointed to notify Lord Robert Cecil that the joint convention was ready to receive him, appeared with the visiting guest, accompanied by Governor Kendall.

Lord Cecil and Governor Kendall were escorted to the Speaker's station.

President Hammill introduced Lord Cecil as follows: .

Members of the General Assembly and fellow citizens: Iowa has as her guest this week the eminent statesman of England, Lord Robert Cecil, who will now address you, and I take pleasure in presenting him to you at this time.

REMARKS OF LORD ROBERT CECIL

MR. PRESIDENT, LADIES AND GENTLEMEN: I have to thank your great courtesy in allowing me the opportunity of saying a few words to this legislature on the occasion of my visit to your state. I have been overwhelmed since I reached the shores of the United States by the hospitality and kindness of its inhabitants, and it is one more proof of that world-famous hospitality that I am allowed this opportunity, in this splendid building, a model for many richer and old established communities.

I have had, alas, very little opportunity for studying the conditions of your state, but I have seen something even in the few hours that I have been here of the spirit of enterprise, the spirit of prosperity which dominates it. One of your citizens was good enough yesterday to take me out a short way into the country and I stood on the grounds of one of your farms talking to one of your farmer citizens, and I looked out across the country, that beautiful rolling country of fertile fields, and I looked at the evidences of prosperity, the evidences of fertility which were all around me. No doubt, as in all other human things, there are difficulties and there are drawbacks, even in so ideal an existence as it appeared to a stranger to be. Something very like an earthly paradise seemed to be opening to my gaze, and as I stood I compared it inevitably with the

scenes of my own land; I went back in my own mind to a little cottage, of my own about the same size as the farmer's, standing on the hills of Sussex, just to the south of London, standing in the midst of a country not very dissimilar, in general geographical appearance, but far less fertile, a beautiful country covered with heather and the gorse which just now must be in their full beauty, and looking out to great rolling hills, the south downs as we call them, beyond which is the sea and beyond that again nothing until you come to the coast of America. And I remembered standing there in the years of the war, coming down there for a little rest, a little peace from the exertions and anxieties which pressed upon the whole of our people during those troubling years, and I remembered well, I shall never forget it, standing there and hearing continuously the guns from the battle fields of Flanders. By some trick of acoustics the sound of the guns was heard all over the south part of England—on, on, on—no intermission, hour after hour; you could not get rid of it; it was burned in on your mind and spirit, and every explosion you felt meant the death or maiming of some young man, bright with hope and promise, somebody cut off from a life which might have been of essential value to his country and to mankind. And I remember very well the sensation, the feeling, "Will this ever end?" and after that, "What can we do to prevent this thing happening again, never again?"; that was the sentiment that was burned in upon all our people, burned to the very depths and bottom of their souls.

Well, ladies and gentlemen, happily the guns have ceased, the great storm has subsided, but just as a great storm at sea leaves behind it for many hours and many days the swelling waves which testify to what has gone before, so it is with the world at the present time. The war is over in the sense that the fighting has ceased, but the disturbances, the consequences of that great upheaval are still with us. We see them on every side. The wounds are still smarting—moral, emotional, heart-felt, but also economic, for after all, there is not a country in the world which today is not feeling the consequences in one way or another of that great war, for we are all one, do what we will; whether we are prepared to accept our responsibilities or not, we are part of the great family of the human race and we cannot avoid it. World conditions affect world markets and world prices, and world prices are the prices of all the great commodities of the world now, so that what happens in some distant country of Europe affects the prices which the traders or farmers of the United States or of any other country get for their goods. Still it does not do to be pessimistic. One must look for signs of hope, or otherwise life would be intolerable, and there are signs of hope, signs of recovery; the world is getting back to normalcy. Some great constructive efforts have been made towards peace. The nations of the world, the nations of Europe have agreed to settle many of the disputes arising since the war by peaceful methods. Quarrels which might have led to dangerous conditions have been smoothed over or have been removed. That has happened on three or four occasions, at any rate, and I hope will happen in many more. Something has been done positively to re-establish the world. The nations of the old world have agreed, for instance, to go together to reconstruct one of their number, Austria, ut-

terly cast down and depressed by the consequences of the war. She has appealed to them and they have come to her assistance and she is, I hope now, not safe, but on the high road to safety if the spirit with which the salvage operations have been undertaken is only persisted in. And we have done more than that. We have taken counsel together to try and set aright some of the great social and moral evils of the time. We are on the high road to put a stop to such great blots on the great civilization of the world as the traffic in opium and other dangerous drugs and the still more harmful traffic in women and children. We have rescued hundreds of thousands of prisoners of war; we have built up barriers against disease; we have established a health organization which is making for the hygiene of the nations of the whole world.

And we have established, perfectly or imperfectly, a permanent court of international justice, thereby at any rate witnessing to the great desire that the disputes amongst the nations should no longer depend upon the arbitrament of war, but should be decided upon the principles of right and justice among men.

And we have done something, all of us, towards limiting and reducing those preparations for war, those armaments which are in themselves not only the instrument of war, but ultimately, as we have proved, the causes of war itself. You here did much by the conference at Washington; you took the first step; you limited by agreement amongst the principal nations of the world, or some of them, you limited at any rate the great ships, the capital ships as they are called, of the fleets, and it was a step of great importance done by the expedient of calling the nations to sit around a table and discuss the matter between themselves. And we are trying to carry that work on, to spread through all the nations the principle of the Washington treaty in so far as naval armaments are concerned, and to do more than that—what is even more essential to peace—to arrive at a real agreement by limiting or reducing the land armaments of the world so that there shall no longer be the perpetual menace of war which prevents the people of the old world settling down quietly to peace and progress. All of this work, and it is a great work, much more perhaps than some critics of the old world think, has been done by one very simple expedient, essentially the same as that which inspired and made possible the Washington treaty—the simple expedient which we have tried, all of us have tried in every quarrel between men, namely, the expedient of getting them to sit around a table and talk in a peaceful atmosphere with a desire to reach an agreement, to talk out their grievances and get to a result. We have brought them together. You brought them together at Washington, a section of them; we have been trying to bring a larger number of them together at Geneva—that is, if you will allow me to say so, that is the essential feature of the League of Nations. Conferences organized, not spasmodically and not depending upon the good will and good faith of a few statesmen or a few rulers who may be in office or in power, but organized so that they come together regularly to discuss, to consider, to debate matters affecting the peace, happiness and prosperity of mankind.

I believe you have here an institution which has extended to our

country and I believe to others; you get together the leading citizens of a city or town representing the different forms of activity, professional, commercial, industrial—one or two from each kind—and you call it the Rotary Club. They meet periodically in each town and occasionally in great conferences and they discuss whatever is for the advantage of their fellow citizens; yes, and all mankind, for the Rotarians do not confine themselves to any narrow or selfish outlook on the affairs of humanity. It is of very great value to the civic life of the world.

Should we not do with nations what we can do with smaller entities? Why is there anything extravagant or impossible about bringing the nations together to talk over their affairs, to discuss them, to take counsel together, to take measures to remove great social and humanitarian evils, if it be necessary to settle disputes and difficulties between themselves? And to make that spirit out of which institutions such as the great court of justice can grow and flourish, for it is no use establishing a court of justice in a condition of moral anarchy; you must have a spirit of cooperation, a spirit of law in order to make even your courts of justice function properly and well. Well, that is what we have been trying to do.

I am grateful to you for allowing me to say these few words explaining at any rate what it is we have in view. It is no question of establishing some new form of international organization which will coerce or govern the peoples of the earth. That is far from the idea that we are working out. My English nation is a proud nation, has fought often for its independence, believes in its own independence as strongly as you do. We would never submit to control by any organization outside of our own, but we will agree to take counsel with other free and independent nations, with all of them if it may be so worked out amongst ourselves, plans for the improvement of humanity, for the eradication of evils, for the establishment of peace. This is a worthy task in no way derogatory to an independent, sovereign and proud nation like my own. This would be another great opportunity which comes to men and nations to show that they rise above mere narrow, selfish and material considerations. After all, what is it that lies at the bottom of our efforts? An increase in brotherly love among mankind. What do we stand for? Is it different from the principles laid down 1900 years ago? May we not say that the great rules of conduct then established apply just as much to nations as they do to men and women, and that we may say to nations as was once said to men: "By this shall all men know that ye are my disciples if ye have love one to another".

Senator Newberry moved that we express to Lord Cecil our pleasure for his splendid address, and that this expression be indicated by a rising vote. Motion prevailed.

Senator Newberry moved that the remarks of Lord Cecil be printed in the Journal. Motion prevailed.

Rankin of Lee moved that the joint convention be now dissolved. Motion prevailed.

The Senate returned to the Senate Chamber and resumed session.

On motion of Senator Tuck the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator McIntosh for the day, on request of Senator Gilchrist.

PETITIONS AND MEMORIALS

Senator Holdoegel presented a petition from the Brotherhood of American Yeomen, Barnum, protesting House Files 805 and 727 relative to fraternal beneficiary societies.

Referred to sifting committee.

INTRODUCTION OF BILLS

Senate File No. 748, by committee on highways, a bill for an act to provide more space for the Engineering Department of the Iowa State College without making an appropriation therefor, to provide offices for the State Highway Commission outside of the College buildings, and to provide for the acceptance of real estate donated by the citizens of Ames.

Read first and second times and placed on the calendar.

Senate File No. 749, by committee on appropriations, a bill for an act to make appropriation for the payment of state and other expenses.

Read first and second times and placed on the calendar.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate House Files Nos. 409, 743, 797 and 824.

AMENDMENTS TO RESOLUTION CONSIDERED

Senator Reed called up Senate concurrent resolution relating to services of employees after adjournment, amended by the House, and moved that the Senate concur in the following House amendments:

Amend by striking from line four (4) thereof the words "a period of six days" and inserting in lieu thereof the following: "so long a time as may be necessary".

Further amend by striking from line seven (7) the words "a period of four days" and inserting in lieu thereof the following: "so long a time as their respective superior officers may deem necessary".

Further amend by striking from line fifteen (15) the words "shall perform her" and inserting in lieu thereof the following: "and assistant postmistress shall perform their".

Further amend by striking from lines fifteen (15) and sixteen (16) the words "three days" and inserting in lieu thereof the following: "so long a time as their respective superior officers may deem necessary".

On the question "Shall the Senate concur?" the vote was:

Ayes, 38.

Abben	Darting	Johnston	Shane
Adams	Dutcher	Mantz	Shinn
Baird	Ethell	Mead	Slosson
Banta	Fulton	Newberry	Smith
Bergman	Gilchrist	Olson	Stoddard
Bowman	Goodwin	Perkins	Thurston
Brookhart	Hale	Reed	White
Caldwell	Hartman	Schmedika	Wichman
Campbell	Haskell	Scott	
Cessna	Horchem	Shaff	

Nays, 4.

Browne	Buser	Romkey	Snook
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Absent or not voting, 8.

Brookins	Kimberly	Nelson	Rees
Holdoegel	McIntosh	Price	Tuck

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

HOUSE AMENDMENTS CONSIDERED

Senator Stoddard called up for consideration Senate File No. 458 amended by the House.

The following House amendments were considered:

Amend House File No. 504 by striking all following the enacting clause and substituting in lieu thereof the following:

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 one million one hundred eighty-one thousand dollars (\$1,181,000.00) annually, for each year of the biennium beginning July 1, 1923, for the following purposes:

Educational support	\$ 600,000
College of Liberal Arts.....	80,000
College of Medicine.....	75,000
College of Dentistry.....	20,000
College of Education.....	26,000
Graduate College	25,000
Equipment and supplies.....	16,000
Repair and contingent.....	43,000
Department of building and grounds.....	80,000
Administration	18,000
Library	35,000
Commerce	50,000
Nurses training and public health nursing.....	20,000
Soldier tuition	35,000
University extension and public health service.....	43,000
Epidemiology laboratory	15,000
	<hr/>
	\$1,181,000

From the soldiers' tuition 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, \$20.00 for each semester and \$20.00 for each summer school.

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, 1923. The Iowa state board of education may transfer to the educational support fund any of the above funds that are not made contingent upon increased attendance.

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, 1923, the sum of two hundred eighty thousand dollars (\$280,000) for the following purposes:

Additional equipment for buildings and departments.....	\$170,000
Paving, sidewalk and sewer.....	60,000
General lighting system for campus.....	5,000
Grading and planting.....	10,000
Additional for library.....	5,000
Water pump and filter.....	30,000
	<hr/>
	\$280,000

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 1st, 1924. It is further provided that not more than \$50,000 of the special appropriation may be used for educational support.

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 one million one hundred sixty-nine thousand five hundred dollars (\$1,169,500.00) annually, for each year of the biennium beginning July 1, 1923, for the following purposes:

Permanent collegiate support fund.....	\$ 800,000
Sub-collegiate courses in agriculture, home economics and engineering	20,000
Contingent fund repairs and minor improvements.....	10,000
Library, books and periodicals.....	20,000
Maintenance and improvement of public grounds.....	10,000
Soldier tuition.....	35,000
Engineering experiment station.....	20,000
Agricultural experiment station.....	134,500
Agricultural home economics extension.....	100,000
Trade school and engineering extension.....	10,000
Veterinary investigations	10,000
	<hr/>
	\$1,169,500

Of the special appropriation for soldier tuition the Iowa state college is to receive for each honorably discharged soldier or sailor of the United States who enrolls in any division of the institution, \$20.00 for each semester and \$20.00 for each summer school.

Of the special appropriation for agricultural experiment station not less than \$25,000, nor more than \$50,000 is to be used for soils survey work; and \$25,000 is to be used for making investigations in agricultural economics, including the marketing of farm products.

The Iowa state board of education may transfer to the permanent collegiate support fund any of the above funds that are not made contingent upon increased attendance.

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, 1923.

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, 1923, the sum of two hundred sixty-five thousand dollars (\$265,000.00) for the following purposes:

Equipment and furnishings for buildings and departments.....	\$ 90,000
Extension of heating system, and equipment for heating plant....	75,000
Additional construction and equipment.....	100,000
	<hr/>
	\$265,000

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, 1924.

It is further provided that \$50,000 of the special appropriations may be used for permanent collegiate support fund.

Sec. 5. 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, the sum of five hundred thousand dollars (\$500,000.00) to be used for the construction of buildings or the purchase of land at the Iowa state college of agriculture and mechanic arts, and the Iowa state board of education is hereby authorized to use said amount for said institutions as in their judgment seems best.

Section 6. There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, to the Iowa state teachers college, the sum of three hundred ninety-eight thousand dollars (\$398,000.00) annually for each year of the biennium beginning July 1, 1923, for the following purposes:

Teachers' fund.....	\$165,000
Support and maintenance.....	30,000
Summer term fund.....	44,000
Contingent and repair.....	100,000
Library	10,000
Librarians salary fund.....	8,000
Hospital fund.....	6,000
Extension summer school.....	35,000
	<hr/>
	\$398,000

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, 1923, with the exception of the appropriation of \$35,000 for the extension summer school, and \$44,000 for the summer term fund, which shall be available July 1, 1923, and on July 1 of each year thereafter for the biennial period.

Section 7. There is further appropriated, out of any money in the state treasury not otherwise appropriated, to the Iowa state teachers college, the sum of twenty thousand dollars (\$20,000.00) for the biennium beginning July 1, 1923, for the following special purpose:

Repairing, improving and equipping heating plant.....\$20,000

The special appropriation provided for in this section shall be available on July 1, 1923, and shall be paid on the order of the Iowa state board of education.

Section 8. 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 forty-three thousand five hundred dollars (\$43,500.00) annually for each year of the biennium beginning July 1, 1923, for the following purposes:

Support fund.....	\$40,000
Repair and contingent.....	3,500
	<hr/>
	\$43,500

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, 1923, for the biennial period.

Sec. 9. 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, 1923, the sum of nineteen thousand dollars (\$19,000.00) for the following special purposes:

Piano and furniture.....	\$ 4,000
Improvements	5,000
Equipment	5,000
Small buildings	5,000
	<hr/>
	\$19,000

The special appropriations provided for in this section shall be available July 1, 1923, and shall be paid on the order of the Iowa state board of education.

Sec. 10. 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 one hundred forty-two thousand five hundred dollars (\$142,500.00) annually, for each year of the biennium beginning July 1, 1923, for the following purposes:

Support fund	\$142,000
Scholarships	500
	<hr/>
	\$142,500

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, 1923, for the biennial period.

Sec. 11. There is further appropriated, out of any money in the state treasury not otherwise appropriated, to the Iowa school for the deaf, for the biennium beginning July 1, 1923, the sum of seventy-one thousand dollars (\$71,000.00) for the following purposes:

Repair and contingent.....	\$30,000
Library and book binding.....	1,000
Equipment	40,000
	<hr/>
	\$71,000

The special appropriations provided for in this section shall be available July 1, 1923, and shall be paid on the order of the Iowa state board of education.

Sec. 12. There is further appropriated, out of any money in the state treasury not otherwise appropriated, to the Iowa school for the deaf, for the biennium beginning July 1, 1923, the sum of three thousand three

hundred dollars (\$3,300.00), or as much thereof as may be necessary, to pay for the following special assessments against certain land belonging to the Iowa school for the deaf:

Mosquito Creek Drainage District No. 22.....\$3,300

The special appropriation provided for in this section shall be available July 1, 1923, and shall be paid on the order of the Iowa state board of education.

Senator Stoddard offered the following amendment as a substitute for the House amendment:

Amend Senate File No. 458 by striking out all that follows the enacting clause and substitute, in lieu thereof, the following:

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 one million, five hundred twenty-eight thousand, six hundred forty-seven dollars (\$1,528,647) annually for each year of the biennium beginning July 2, 1923, for the following purposes:

Educational support	\$894,647.00	
Colleges of liberal arts, applied science, law and pharmacy	80,000.00	
College of medicine.....	75,000.00	
College of dentistry.....	20,000.00	
College of education.....	26,000.00	
Graduate college	40,000.00	
Summer school	38,000.00	
Equipment and supplies.....	16,000.00	
Repair and contingent.....	43,000.00	
Department of buildings and grounds.....	80,000.00	
Administration	18,000.00	
Library	35,000.00	
Commerce	50,000.00	
Nurses' training and public health nursing.....	20,000.00	
Soldier tuition	35,000.00	\$1,470,647.00

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, \$20.00 for each semester and \$20.00 for each summer school.

University extension and public health service.....	\$ 43,000.00	
Epidemiology laboratory	15,000.00	58,000.00
		<hr/>
		\$1,528,647.00

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, 1923, with the exception of the appropriation for summer school (\$38,000.00) which shall be available July 1, 1923, and on July first of each year thereafter for the biennial period. The Iowa

state board of education may transfer to the educational support fund any of the above funds that are not made contingent upon increased attendance.

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, 1923, the sum of four hundred eighty thousand dollars (\$480,000.00), for the following purposes:

Additional equipment for buildings and departments.....	\$340,000.00
Paving, sidewalk and sewer.....	60,000.00
General lighting system for campus.....	5,000.00
Grading and planting.....	10,000.00
Additional reading room for library.....	5,000.00
Water pumps and filters.....	60,000.00

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, 1924. It is further provided that \$50,000.00 of the special appropriations may be used for educational support.

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 one million, three hundred eighty-seven thousand dollars (\$1,387,000.00) annually, for each year of the biennium beginning July 1, 1923, for the following purposes:

Permanent collegiate support fund.....	\$1,016,500.00	
Summer session	20,000.00	
Sub-collegiate courses in agriculture, home economics and engineering.....	20,000.00	
Contingent fund repairs and minor improvements	10,000.00	
Library, books and periodicals.....	20,000.00	
Maintenance and improvement of public grounds	10,000.00	
Soldier tuition	35,000.00	\$1,131,500.00

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 any division of the institution, \$20.00 for each semester and \$20.00 for each summer school.

For industrial work as follows:

Engineering experiment station.....	\$20,000.00
Agricultural experiment station.....	134,500.00

Of this appropriation not less than \$25,000 nor more than \$50,000 is to be used for soils survey work; and \$25,000 is to be used for making investigations in agricultural economics, including the marketing of farm products.

Agriculture and home economic extension.....	85,000.00	
Trade school and engineering extension.....	10,000.00	
Veterinary investigations	6,000.00	255,500.00
		<hr/>
		\$1,387,000.00

The Iowa state board of education may transfer to the permanent collegiate support any of the above funds that are not made contingent upon increased attendance.

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, 1923, with the exception of the appropriation for summer session (\$20,000) which shall be available July 1, 1923, 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, 1923, the sum of four hundred seventy thousand dollars (\$470,000.00) for the following purposes:

Equipment and furnishings for buildings and departments....	\$205,000.00
Extension of heating system, equipment for heating plant, water plant and sewage system.....	130,000.00
Additional construction and equipment.....	135,000.00

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, 1924.

It is further provided that \$60,000 of the special appropriations may be used for permanent collegiate support fund.

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 four hundred twenty-seven thousand dollars (\$427,000.00) annually for each year of the biennium beginning July 1, 1923, for the following purposes:

Teachers' fund	\$165,000.00
Summer term fund	44,000.00
Contingent and repair	100,000.00
Library	10,000.00
Librarian's salary fund	8,000.00
Hospital fund	6,000.00
Extension service fund	12,000.00
Extension summer school	50,000.00
Support and maintenance	32,000.00

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, 1923, with the exception of the appropriations for summer term (\$44,000) and for extension summer schools (\$50,000) which

amounts are to be available July 1, 1923, 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, 1923, the sum of twenty thousand dollars (\$20,000.00), for the following special purposes:

Repairing, improving and equipping the heating plant.....\$20,000.00

The special appropriation provided for in this section shall be available on July 1, 1923, 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 forty-three thousand five hundred dollars (\$43,500) annually for each year of the biennium beginning July 1, 1923, for the following purposes:

Support fund	\$40,000.00
Repair and contingent fund.....	3,500.00

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, 1923, 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 that will begin July 1, 1923, the sum of nineteen thousand dollars (\$19,000.00), for the following purposes:

Piano and furniture	\$4,000.00
Improvements	5,000.00
Equipment	5,000.00
Small buildings	5,000.00
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	\$19,000.00

The special appropriations provided for in this section shall be available on July 1, 1923, 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 one hundred fifty thousand five hundred dollars (\$150,500.00) annually for each year of the biennium beginning July 1, 1923, for the following purposes:

Support fund	\$150,000.00
Scholarships	500.00

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, 1923, for the biennium period.

Sec. 10. There is further appropriated, out of any money in the state treasury not otherwise appropriated, to the Iowa school for the deaf, for the biennium that will begin July 1, 1923, the sum of seventy-seven thousand three hundred dollars (\$77,300.00) for the following purposes:

Repair and contingent.....	\$30,000.00
Library and book-binding.....	1,000.00
Equipment	43,000.00
Mosquito Creek Drainage District No. 22.....	3,300.00
	<hr/>
	\$77,300.00

The special appropriations provided for in this section shall be available July 1, 1923, and be paid on the order of the Iowa state board of education.

Sec. 11. There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, the amount of five hundred thousand dollars (\$500,000), to be used for the construction of buildings, or the purchase of land at the State University of Iowa.

Sec. 12. There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, the amount of five hundred thousand dollars (\$500,000), to be used for the construction of buildings, or the purchase of land at the Iowa State College of Agriculture and Mechanic Arts.

Sec. 13. The Iowa state board of education is hereby authorized to use the amounts appropriated in sections eleven (11) and twelve (12) of this act for said institutions respectively, as in their judgment seems best.

Sec. 14. There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, to the State University of Iowa, the sum of two hundred fifty thousand dollars (\$250,000), annually, for each year of the biennium, beginning July 1, 1923, for the construction of buildings and the purchase of sites.

Sec. 15. 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 five hundred thousand dollars (\$500,000) annually, for each year of the biennium, beginning July 1, 1923, for the construction of buildings.

Sec. 16. There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, to the state board of education, the sum of two hundred fifty thousand dollars (\$250,000), annually for each year of the biennium, beginning July 1, 1923, for the purpose of providing dormitories, including sites, buildings and equipment, for the use of students at the State University of Iowa.

Sec. 17. There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, to the state board of education, the sum of two hundred fifty thousand dollars (\$250,000), annually for each year of the biennium, beginning July 1, 1923, for the purpose of providing dormitories, including sites, buildings and equipment, for the use of students at the Iowa State College of Agriculture and Mechanic Arts.

Sec. 18. There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, to the state board of education, the sum of one hundred twenty-five thousand dollars (\$125,000), annually for each year of the biennium, beginning July 1, 1923, for the purpose of providing dormitories, including sites, buildings and equipment, for the use of students at the Iowa State Teachers College.

Sec. 19. The Iowa state board of education is hereby directed and authorized to construct, maintain and operate the dormitories, provided for in sections 16, 17, and 18 of this act, and to so operate them that the net earnings thereof shall be not less than four per cent (4%), annually on the amount expended under the provisions of sections 16, 17, and 18 of this act; and out of the said net earnings the said board shall pay annually into the state treasury an amount equal to four per cent (4%) on the amount expended under the provisions of sections 16, 17, and 18 of this act, until the state has been reimbursed for the said principal.

Sec. 20. The appropriations provided for in this act shall be paid on the order of the Iowa state board of education, beginning July 1, 1923.

Senator Buser raised the point of order that the subject matter in this amendment was identical with the subject matter of the four bills acted upon adversely by the House and could not be considered at this time.

The President held the point not well taken.

On the question "Shall the amendment to the House amendment be adopted and the amendment as amended be concurred in?" the vote was:

Ayes, 27.

Abben	Dutcher	Mantz	Shaff
Adams	Gilchrist	Mead	Slosson
Balrd	Goodwin	Newberry	Smith
Banta	Hale	Olson	Stoddard
Bowman	Haskell	Perkins	White
Caldwell	Holdoegel	Reed	Wichman
Darting	Horchem	Scott	

Nays, 20.

Bergman	Campbell	Johnston	Shane
Brookhart	Cessna	Nelson	Shinn
Brookins	Ethell	Price	Snook
Browne	Fulton	Romkey	Thurston
Buser	Hartman	Schmedika	Tuck

Absent or not voting, 3.

Kimberly	McIntosh	Rees
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The House amendment as amended having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Smith, Senate File No. 713, a bill for an act to repeal the law as it appears in section thirteen hundred ten (1310), thirteen hundred eleven (1311), thirteen hundred twenty-one (1321) thirteen hundred twenty-two (1322), thirteen hundred twenty-two 1a (1322-1a), thirteen hundred twenty-two 2a (1322-2a), thirteen hundred twenty-two 3a (1322-3a), thirteen hundred twenty-two 4a (1322-4a), thirteen hundred twenty-two a (1322-a) and thirteen hundred twenty-six (1326) of the supplement to the code, 1913, as amended (C. C. 4504, 4505, 4509, 4511, 4512, 4516), and section nineteen hundred twenty (1920) of the code, 1897 (C. C. sec. 4516) and to enact substitutes therefor; also to amend the law as it appears in section thirteen hundred twenty-five (1325) of the code (C. C. 4515); all relating to the assessment and taxation of moneys, credits and other forms of intangible property; and providing for the levy of an income and dividend tax on the shares of stock of national, state and savings banks, loan and trust companies, building and loan associations, investment companies, mortgage companies, and other corporations doing a business of a similar kind and character and moneyed capital as defined in section fifty-two hundred nineteen (5219) of the revised statutes of the United States as amended, a committee bill, was taken up and considered.

Senator Smith offered the following amendments and moved their adoption:

Amend Senate File No. 713 as follows:

By striking from lines eight and nine (8 and 9) of the title of the bill as published the words and figures "and section nineteen hundred twenty (1920) of the code, 1897 (C. C. sec. 4516)"; also by striking from line fourteen (14) of the title the words "building and loan associations."

Also that section two (2) of the bill be amended by striking from lines nine and ten (9 and 10) thereof the words and figures "and section nineteen hundred twenty (1920) of the code, 1897 (C. C. sec. 4516)."; also by striking from line four (4) of section three (3) of the bill the words "building and loan associations."; also that section six (6) of the bill be amended by striking from lines two and three (2 and 3) thereof the words "building and loan associations."; also that section fourteen (14) of said bill be amended by striking from line three (3) thereof the words "building and loan associations."

The amendments were adopted.

Senator Smith offered the following amendment and moved its adoption:

Also by striking from section one, lines 26, 27 and 28, the words "shall be divided between the various funds upon the same pro rata basis as other taxes collected in such taxing district are apportioned" and by inserting in lieu thereof "shall be remitted as other state taxes to the treasurer of state and shall become part of the general resources of the state".

The amendment was adopted.

Senator Smith moved that the vote by which this amendment passed the Senate be reconsidered, which motion prevailed.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 16.

Adams	Campbell	Hale	Reed
Baird	Cessna	Holdoegel	Smith
Banta	Darting	Horchem	Tuck
Brookhart	Dutcher	Mead	White

Nays, 26.

Abben	Ethell	Mantz	Shane
Bergman	Fulton	Nelson	Slosson
Bowman	Gilchrist	Newberry	Snook
Brookins	Goodwin	Olson	Thurston
Browne	Hartman	Romkey	Wichman
Buser	Haskell	Schmedika	
Caldwell	Johnston	Shaff	

Absent or not voting, 8.

Kimberly	Perkins	Rees	Shinn
McIntosh	Price	Scott	Stoddard

The amendment was lost.

Senator Smith offered the following amendments and moved their adoption:

Amend the title by striking out the words and figures "thirteen hundred eleven (1311)" as the same appears in such title.

Also amend section two (2) by striking out of section two the words and figures "thirteen hundred eleven (1311)".

The amendments were adopted.

Senator Smith offered the following amendment and moved its adoption:

Amend by inserting following the word "be" in line 2 of section 16 the following: "paid to the county treasurer of the county wherein the principal business of such person, firm, association, or corporation is located and".

The amendment was adopted.

Senator Adams offered the following amendment and moved its adoption:

Amend by adding after the word "corporation" in line 5 of section 3 the following: "including foreign corporations".

The amendment was adopted.

Senator Bergman offered the following amendment and moved its adoption:

Amend by striking from line 18 of section 1 the word and figure "seven (7)" and inserting in lieu thereof the word and figure "five (5)".

Senator Bergman invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 23.

Baird	Cessna	Mantz	Scott
Banta	Fulton	Nelson	Shaff
Bergman	Goodwin	Olson	Shane
Bowman	Hale	Perkins	Snook
Brookins	Haskell	Romkey	Wichman
Browne	Holdoegel	Schmedika	

Nays, 24.

Abben	Darting	Johnston	Slosson
Adams	Dutcher	Mead	Smith
Brookhart	Ethell	Newberry	Stoddard
Buser	Gilchrist	Price	Thurston
Caldwell	Hartman	Reed	Tuck
Campbell	Horchem	Shinn	White

Absent or not voting, 3.

Kimberly	McIntosh	Rees
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The amendment was lost.

Senator Dutcher offered the following amendment and moved its adoption:

Amend Senate File No. 713 by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section thirteen ten (1310) of the supplement to the code nineteen thirteen (1913) (C. C. 4504), is hereby repealed and the following enacted in lieu thereof:

Moneys, credits, corporation shares or stocks, except as otherwise provided, cash, circulating notes of national banking associations, United States legal tender notes, and other notes, and certificates of the United States payable on demand and circulating or intended to circulate as currency, notes, including those secured by mortgage, accounts, con-

tracts for cash or labor, bills of exchange, judgments, choses in action, liens of any kind, securities, debentures, bonds other than those of the United States, and annuities, shall be assessed and taxed upon the uniform basis throughout the state of seven (7) mills on the dollar of actual valuation, the same to be assessed and collected where the owner resides. The millage tax here provided for shall be in lieu of all other taxes upon such moneys and credits and shall be levied by the board of supervisors, placed upon the tax list and collected by the county treasurer, and the amount collected in the various taxing districts of the state shall be remitted as other state taxes to the treasurer of state and become a part of the general funds of the state.

Sec. 2. Section thirteen twenty-two (1322) of the supplement to the code nineteen thirteen (1913) is hereby repealed and the following enacted in lieu thereof:

Shares of stock of national banks and state and savings banks, loan and trust companies, mortgage and investment corporations and the shares of stock of other corporations doing a similar business, shall be assessed to the individual stockholders at the place where the bank, loan and trust company, mortgage or investment company or other such corporation is located. At the time the assessment is made the officers of such corporations shall furnish the assessor with lists of all the stockholders and the number of shares owned by each and the assessor shall list to each stockholder under the head of corporation stock, the total value of such shares. To aid the assessor in fixing the value of such shares, the said corporation shall furnish him a verified statement showing:

1. The amount of moneys, specifying separately the amount of moneys on hand or in transit, the funds in the hands of other banks, bankers, brokers or other persons or corporations, and the amount of checks or other cash items not included in either of the preceding items;

2. The actual value of credits, consisting of bills receivable owned by it, and other credits due or to become due;

3. The amount of all deposits made with it by others, and also the amount of bills payable; the actual value of bonds and stocks of every kind and shares of capital stock or joint stock of other corporations or companies held as an investment, or in any way representing assets, and the specific kinds and description thereof exempt from execution;

4. All other property of said corporation pertaining to its business, including real estate which shall be specifically listed and valued by the usual description thereof;

5. The amount of capital stock, surplus and undivided earnings.

The assessor from such statement shall affix the value of such shares of stock based upon the capital, surplus and undivided earnings. In arriving at the total value of the shares of stock of such corporations the amount of their capital actually invested in real estate owned by

them and in the shares of stock of corporations owning only the real estate (inclusive of lease hold interests, if any), on or in which the corporation is located, shall be deducted from the real value of such shares, and such real estate shall be assessed as other real estate, and the property of such corporation shall not be otherwise assessed.

A refusal to furnish the assessor with a list of stockholders and the information required under this section shall be deemed a misdemeanor and officer guilty thereof, shall be punished by a fine not exceeding five hundred dollars (\$500.00).

Sec. 3. Section thirteen twenty-two-1a (1322-1a) of the supplement to the code nineteen thirteen (1913), (C. C. 4511), is hereby repealed and the following enacted in lieu thereof:

In assessing the shares of stock of national, state and savings banks, loan and trust companies, mortgage and investment corporations and other corporations doing a similar business, the assessor shall affix the assessed value at the same ratio to its value as the assessed value of real estate in the taxing district generally bears to its actual value. The taxable value of such shares of stock shall be one-fourth ($\frac{1}{4}$) of the assessed value as herein fixed and shall be taxed as other property in such taxing district.

Sec. 4. All moneyed capital within the meaning of section fifty-two nineteen (5219) of the revised statutes of the United States as amended, except the shares of stock of national, state and savings banks, loan and trust companies, mortgage and investment corporations, and other corporations doing a similar business hereinbefore provided for, shall be listed and assessed against the owner thereof at his place of business, and if a corporation, at its principal place of business, at the same rate and on the same basis as the shares of stock of said banks and other corporations above referred to, in the same taxing district. The owner of, or the person whose duty it is to list such moneyed capital, shall furnish the assessor a full, complete, verified and itemized statement showing the amount of his or its moneyed capital.

Sec. 5. Section thirteen twenty-five (1325) of the code (C. C. 4515) is hereby amended by striking out the first word thereof and inserting in lieu thereof the following: "National, state and savings banks, loan and trust companies, mortgage and investment corporations, and the shares of stock of other corporations doing a similar business and"

Sec. 6. That section thirteen twenty-two-2a (1322-2a) of the supplement to the code nineteen thirteen (1913), is repealed and the following enacted in lieu thereof:

The provisions of this act shall be in effect and govern the assessments made in the year nineteen hundred and twenty-three (1923) and succeeding years. If the assessment of any such stock, moneyed capital, or moneys and credits is not made during the year nineteen hundred and twenty-three (1923) within the time now provided by law, or is

illegally or irregularly made, the assessor of the taxing district is hereby granted until June first, nineteen hundred and twenty-three (1923) in which to rectify the illegality or irregularity, or reassess such stock, moneyed capital or moneys and credits, and the board of review of the taxing district is during the month of June, nineteen hundred and twenty-three (1923), authorized and directed to review such assessment following the proceedings now provided by law as to original assessments and appeals therefrom.

Sec. 7. That section thirteen twenty-two-3a (1322-3a) of the supplement to the code nineteen thirteen (1913) is repealed and the following enacted in lieu thereof:

The provisions of this act, so far as applicable, shall apply to cities acting under special charter and in such cities stocks of national, state and savings banks, loan and trust companies, mortgage and investment corporations, and other corporations doing a similar business, and moneyed capital, shall be assessed at the taxable value applied to other property. If the taxable value of such other property is fixed at any portion thereof except twenty-five per cent (25%) of the actual value thereof, as shown by the assessment, the city council, when the levy for all city purposes has been determined, shall ascertain the equivalent thereof based upon such twenty-five per cent (25%) valuation and shall certify the aggregate of the levy so ascertained to the county treasurer of the county in which such city is located. The millage tax levied on moneys and credits in special chartered cities shall be collected for the benefit of the general fund of the state and paid to the state treasury in the manner herein provided.

Sec. 8. That section thirteen twenty-two-4a (1322-4a) of the supplement to the code nineteen thirteen (1913) is repealed.

Sec. 9. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Des Moines Capital and the Des Moines Register, newspapers published at Des Moines, Iowa.

Also, by striking out the title and inserting in lieu thereof the following:

An act to repeal the law as it appears in section thirteen ten (1310), thirteen twenty-two (1322), thirteen twenty-two-1a (1322-1a), thirteen twenty-two-2a (1322-2a), thirteen twenty-two-3a (1322-3a), and thirteen twenty-two-4a (1322-4a) of the supplement to the code nineteen thirteen (1913), (C. C. 4504, 4510, 4511, 4512), and to enact substitutes therefor; also to amend the law as it appears in section thirteen twenty-five (1325) of the code (C. C. 4515); all relating to the assessment and taxation of moneys and credits, shares of stock in national, state and savings banks, loan and trust companies, mortgage and investment corporations and other corporations doing a similar business and moneyed capital as defined in section five thousand two hundred nineteen (5219) of the revised statutes of the United States as amended.

On motion of Senator Price the rule limiting debate was suspended on this bill.

Senator Dutcher offered the following amendment to the amendment and asked unanimous consent to have it incorporated, which consent was granted:

Amend the substitute for Senate File No. 713 by striking out the following language in section one (1) thereof: "The millage tax here provided for shall be in lieu of all other taxes upon such moneys and credits and shall be levied by the board of supervisors, placed upon the tax list and collected by the county treasurer, and the amount collected in the various taxing districts of the state shall be remitted as other state taxes to the treasurer of state and become a part of the general funds of the state", and by inserting in lieu thereof: "The millage tax here provided for shall be in lieu of all other taxes upon moneys and credits and shall be levied by the board of supervisors, placed upon the tax list and collected by the county treasurer, and the amount collected in the various taxing districts of the state shall be divided between the various funds upon the same pro rata basis as other taxes collected in such taxing districts are apportioned."

Senator Abben offered the following amendment and moved its adoption: I move that the following amendment be inserted as section 14 of Senate File 713, and other sections following be renumbered:

"Each person, firm, association or corporation subject to the provisions of this act in the sworn statement made to the county treasurer on or before February 1 of each year as required under section five (5) hereof, shall show under detailed headings all actual expenses charged against gross income. The county treasurer if he believes there has been a wilful violation of this act through the payment of large salaries or otherwise is hereby authorized either in person or through any deputy or agent appointed by him to examine all books and records which may include the minutes of any meetings of said taxpayers, to determine if there has been any unreasonable and unwarranted increase in salaries as compared with the salaries paid for similar services by like institutions subject to this act, or if any other practices have been or are being carried on which would show that the said taxpayer was knowingly and intentionally seeking to evade the spirit and purposes of the act. The superintendent of banking, the secretary of state and the state auditor having any jurisdiction, control or supervision over the affairs of any of said taxpayers shall supply the county treasurer at his call with any available information and lend every assistance that may aid the county treasurer in his investigation; and any said taxpayer found guilty of evading the tax legally assessed and levied under this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined as provided

in section eleven (11) hereof; and in addition thereto shall be imposed a penal tax of one thousand dollars (\$1,000.00) which shall be assessed and collected in the same manner as the tax herein provided."

Senator Buser raised the point of order that the Senate was now considering the substitute amendment offered by Senator Dutcher and this amendment of Senator Abben's was out of order.

The President held the point not well taken as when a substitute has been moved it is now customary before this is put to vote, to allow the friends of the original proposition to perfect it by amendments in the usual manner, since such amendments might otherwise be completely cut off by the summary adoption of the substitute. This results in an exception to the general rule that only an amendment and an amendment to that amendment can be pending at once; for since a substitute may also be offered as an amendment, it may happen in consequence that three amendments are pending at the same time—viz., the amendment by substitution and an ordinary amendment to some part of the main question with an amendment to that. For details of procedure in such case, see Sec. 61. The purpose is to get both propositions fully and fairly before the assembly before the final decision is made. This usage—which, though prevalent, has not yet attained universal acceptance—might be very simply defined by a rule declaring amendments to the terms of the main question of higher rank than amendments by substitution, and therefore entitled to precedence; and amendments designed to destroy the main question altogether (as when it is moved to strike out the enacting words) should be put in the same class with substitutes. (See Table, Sec. 200.)

Senator Abben's amendment was lost.

Senator Dutcher offered the following amendment and moved its adoption:

Amend the substitute for Senate File No. 713 by striking out the following language in section seven (7) thereof, "The millage tax levied on moneys and credits in special chartered cities shall be collected for the benefit of the general fund of the state and paid to the state treasury in the manner herein provided", and inserting in lieu thereof, "When the millage tax provided in section one hereof is collected the county treasurer shall pay to the treasurer of such city such portion of said millage tax collected as the aggregate levy so certified is of the total levy obtained

by adding such certified levy to the levy for all purposes except city purposes, and such city shall not be permitted to impose taxes upon the property referred to in section one hereof".

The amendment was adopted.

Senator Dutcher invoked rule 8.

On the question "Shall Senator Dutcher's amendment be substituted for Senate File No. 713?" the vote was:

Ayes, 24.

Abben	Ethell	Horchem	Shaff
Baird	Fulton	Johnston	Slosson
Banta	Goodwin	Mantz	Stoddard
Bergman	Hale	Newberry	Thurston
Bowman	Haskell	Perkins	White
Dutcher	Holdoegel	Scott	Wichman

Nays, 22.

Adams	Campbell	Nelson	Shinn
Brookhart	Cessna	Price	Smith
Brookins	Darting	Reed	Snook
Browne	Gilchrist	Romkey	Tuck
Buser	Hartman	Schmedika	
Caldwell	Mead	Shane	

Absent or not voting, 4.

Kimberly	McIntosh	Olson	Rees
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The substitution was made.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist from the committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 469, 743, 797, and 824.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETS, *Chairman House Committee.*

Report 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. 372, a bill for an act to provide for state compensation for injuries or death of law enforcing officers while on duty.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 409, a bill for an act relating to the annual taxation of premiums collected from subscribers under inter-insurance contracts.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 361, a bill for an act providing for the supervision and regulation of persons either natural or artificial engaged in the transportation of persons or property for hire over the public highways of the state by motor vehicles and conferring certain jurisdiction over such persons and such vehicles upon the board of railroad commissioners of the state; also providing for the enforcement of this act and for the punishment of violation thereof.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 807, a bill for an act to legalize the official acts and proceedings of the mayors, town councils, town treasurers and assessors of the incorporated town of McCallsburg, Iowa, elected in each of the years 1911, 1913, 1915, 1917, 1919 and 1921.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 696, a bill for an act providing for the issuance of itinerant restaurant licenses by the state hotel inspector.

Also, that the House has refused to concur in Senate amendments to House amendment to Senate File 458, a bill for an act to make 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.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 757, a bill for an act designating March twenty-first as Bird Day and providing for the observance of the same in public schools.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 666, a bill for an act conferring powers and duties upon township trustees to make certain regulations with reference to the prohibition and licensing of theaters, shows, pool and billiard halls and bowling alleys within their townships, etc.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 697, a bill for an act relating to the allowance paid by the state fire marshal for reporting fires.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 775, a bill for an act relating to computing time.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 718, a bill for an act relating to the submission to a vote of the people of propositions for the expenditure of public monies, the levying of taxes, the issuance of public bonds, etc.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 813, a bill for an act authorizing the consolidated independent school district of Carpenter, in the counties of Worth and Mitchell, to issue its warrants in excess of the funds available, and authorizing a tax levy to pay the same.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 785, a bill for an act to provide signals at railroad intersections with streets and highways.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 549, a bill for an act to compensate Woodbury county, Iowa, for money expended by Woodbury county for the hearing, commitment and transportation of certain insane patients who were charges of the state of Iowa.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 325, a bill for an act providing for the protection of cities from damage by floods.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 338, a bill for an act relating to the powers of the board of supervisors.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 671, a bill for an act providing for the removal of illegality or uncertainty in contracts relating to drainage improvements and providing for the reassessment of land where assessments have been

adjudged to be void for jurisdictional defects, or for illegality or uncertainty in such contracts.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE MESSAGES CONSIDERED

House File No. 718, a bill for an act relating to the submission to a vote of the people of propositions for the expenditure of public monies, the levying of taxes, or the issuance of public bonds, providing that such propositions shall not be deemed to have carried unless the vote cast in favor of such proposition, shall be a majority of all votes cast thereon and shall equal at least to thirty-five (35) per centum of the total vote cast for the office of governor at the last preceding general election, in the city, town, county, township, school district or other governmental subdivision in which such proposition is to be submitted to a vote of the people.

Read first and second time and referred to the sifting committee.

House File No. 785, a bill for an act to provide signals at railroad intersections with streets and highways.

Read first and second time and referred to sifting committee.

House File No. 813, a bill for an act authorizing the consolidated independent school district of Carpenter, in the counties of Worth and Mitchell, 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 placed on calendar.

House File No. 666, a bill for an act conferring powers and duties upon township trustees to make certain regulations with reference to the prohibition and licensing of theaters, shows, pool and billiard halls and bowling alleys within their townships, providing a penalty for the violation of the law and repealing chapter three hundred fifty-eight (358), acts of the Thirty-seventh General Assembly (C. C. 3136, 3137).

Read first and second time and referred to sifting committee.

House File No. 775, a bill for an act to amend sub-section twenty-three (23), section forty-eight (48) of the code (C. C. 55, sub-section 23), relating to computing time.

Read first and second times and referred to sifting committee.

House File No. 757, a bill for an act to designate and set apart the twenty-first day of March as Bird Day and to provide for the observance of the same in public schools.

Read first and second times and referred to sifting committee.

House File No. 697, a bill for an act to amend section twenty-four hundred sixty-eight-o (2468-o), supplement to the code, 1913, (C. C. 1052), relating to the allowance paid by the state fire marshal for reporting fires.

Read first and second times and referred to sifting committee.

House File No. 696, a bill for an act to amend chapter one hundred ninety-nine (199), acts of the Thirty-ninth General Assembly (S. C. C. title V., Ch. 13-a), so as to provide for the issuance of itinerant restaurant licenses by the state hotel inspector.

Read first and second time and referred to sifting committee.

House File No. 807, a bill for an act to legalize the official acts and proceedings of the mayors, town councils, town treasurers and assessors of the incorporated town of McCallsburg, Iowa, elected in each of the years 1911, 1913, 1915, 1917, 1919, and 1921.

Read first and second times and placed on calendar.

REPORT OF SIFTING COMMITTEE

April 13, 1923.

MR. PRESIDENT: Your sifting committee wish to recommend that the following bills be placed on the calendar:

House Files Nos. 560, 595, and 574.

Senate File No. 638.

GEO. B. PERKINS, *Chairman*.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend substitute for Senate File No. 713 as follows: By inserting the following as section nine and renumbering section nine as section ten:

Every owner or other person shall at the time of being assessed furnish to the assessor upon a blank to be supplied by said assessor a verified

list of all his obligations evidenced by bonds, notes or other writing, describing the amount thereof, when due, the rate of interest and the name and postoffice address of the payee, provided, however, that no such returns shall be required as to any bond, note or other written evidence payable to a bank, or to a payee who is a non-resident of the state, and no returns shall be made of any such obligation not exceeding one hundred dollars.

It shall be unlawful for any assessor, deputy assessor, treasurer, deputy treasurer, or any other officer or employee of the county or state to divulge information contained in such statements of obligations save and alone in courts of justice or before the board of equalization, or to the party to whom the obligation is owing and then only that part of the list affecting the item under consideration.

Such statements shall be filed with the county treasurer and where the creditor named lives within the county the amount of such credit shall be added to his assessment unless his assessment roll, when filed, shows that such credit is included in his assessment, and the treasurer shall at once notify such party of the amount added by registered letter mailed to the address given by the person making the statement or to the actual address of the creditor, if known to the treasurer, and shall preserve a copy of the notice mailed in his office, and if such party appears within thirty days and shows to the satisfaction of the treasurer that the amount was included in his assessment, or that he is entitled to an offset of the same by indebtedness as provided by law, such added assessment shall be cancelled; otherwise it shall stand as part of his assessment. The treasurer shall forward to the county treasurer of any other county of this state the name and address of any creditor listed as living in such county, together with the name of the debtor, listing the obligation and the amount of the item, and such treasurer shall list the same against such creditor as above provided. The creditor shall have the right of appeal from the ruling and decision of the treasurer as is by law provided for appeal in other cases of assessment.

J. L. BROOKHART.

MR. PRESIDENT: Amend Senate File No. 713 by adding after the word "corporations" in line 3, paragraph 2, of section 2, the following: "including foreign corporations."; also by adding the same after the word "corporations" in line 3, sub-section 1, of section 2; also by adding the same after the word "corporations" in line 3, paragraph 2, of section 3; also by adding the same after the word "corporations" in line 4, of section 4.

H. C. ADAMS.

MR. PRESIDENT: I move to amend Senate File 745 by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated the following sums, or so much thereof as may be necessary to pay the claims and expenses indicated:

R. F. Wolfe (S. F. 705)	\$ 17.20
Globe Machinery & Supply Co. (S. F. 706)	13.27
The Clinton Advertiser (S. F. 704)	8.95
McNamara Office Supply Co. (S. F. 709)	32.25
C. M. Meusel (S. F. 331)	29.50
Mercy Hospital, Cedar Rapids (H. F. 571)	21.90
Drs. Murphy, Neuzil, and Victorine (H. F. 571)	58.00
W. H. Cleary (H. F. 571)	14.06
C. A. Suits (H. F. 571)	23.00
John C. Bradbury (H. F. 513)	47.79
George Judisch (H. F. 486)	70.00
George S. Banta, traveling expense in attendance at conference.	23.79
A. V. Brady, traveling expense in attendance at conference.....	29.79
J. D. Buser, traveling expense in attendance at funeral of Senator D. C. Chase	20.06
F. C. Gilchrist, traveling expense in attendance at funeral of Senator D. C. Chase	8.65
J. R. Price, traveling expense in attendance at funeral of Senator D. C. Chase	9.85
William Schmedika, mileage	6.30
L. W. Ainsworth, postage, telephone, telegraph, badges and mis- cellaneous items	67.66
J. H. McFarland, 8 days as doorkeeper	32.00
G. L. Steinhilber, extra salary as file clerk	100.00
Paul Sims, extra salary as bill clerk	100.00
John Hammill, Lieutenant Governor, as President of the Senate.	2,000.00
J. H. Anderson, as Speaker of the House of Representatives (ad- ditional to his regular salary as a member)	1,000.00

Sec. 2. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated the sum of eight hundred dollars (\$800) or so much thereof as may be necessary to pay the usual fees of chaplains of the Senate and the House of Representatives of the Fortieth General Assembly, warrants therefor to be drawn in favor of the persons entitled thereto, who shall be determined by the auditor of state upon the certified statements of the president of the Senate and the speaker of the House.

Sec. 3. There is hereby appropriated the sum of sixty-eight dollars and seventy-four cents (\$68.74) out of the fish and game protection fund in full payment of the claim of C. M. Roggensack for services rendered the state under the direction of the fish and game department during the years 1917, 1918, and 1920 (S. F. 707).

Sec. 4. There is hereby appropriated the sum of one hundred fifty-six dollars and thirty-seven cents (\$157.37) out of the fund of the board of engineering examiners in full payment of the following claims:

Koch Bros. (S. F. 708).....	\$93.39
L. M. Martin (S. F. 719).....	62.98

Sec. 5. There is hereby appropriated the sum of one hundred sixty-five dollars (\$165.00) out of the fund of the board of dental examiners in full payment of the following claim:

Dr. C. B. Miller (H. F. 521).....	\$165.00
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Sec. 6. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Des Moines Register and the Des Moines Capital, newspapers published in Des Moines, Iowa.

B. M. STODDARD.

By unanimous consent the following bills were withdrawn from further consideration: Senate File No. 464 by Senator Dutcher; Senate File No. 462 by Senator Bowman; Senate File No. 465 by Senator Holdoegel.

The Journal of April 12th was corrected and approved.

On motion of Senator Price the Senate adjourned until 9 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 14, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rabbi Eugene Mannheimer of Des Moines.

On motion of Senator Brookhart, rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator McIntosh for the day, on request of Senator Tuck.

MESSAGES 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. 821, a bill for an act relating to the powers and duties of the board of railroad commissioners and regulation of carriers.

Also, 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 an appropriation of \$50,000.00 annually during the next biennium, improving school conditions in coal mining camps.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 816, a bill for an act to appropriate nine thousand seven hundred ninety-two dollars and thirty-three cents (\$9,792.33), or so much thereof as may be necessary for the purpose of paying drainage assessments against state owned land in connection with the drainage of Mud Lake.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 815, a bill for an act relating to the drainage of meandered lakes and to the sale of lake beds and to enact a substitute therefor

and making an appropriation to pay any expenses incurred under the act.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 736, a bill for an act relating to the valuation of property for purposes of taxation.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 609, a bill for an act making an appropriation to reimburse Lee county, Iowa, on prison breach cases tried between the dates of April 10, 1918, and April 13, 1920.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 647, a bill for an act relating to the priority of claims in receivership proceedings.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 605, a bill for an act relating to municipal court fees.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 818, a bill for an act providing for the appointment by the Governor of a commission on land titles, to serve without compensation, except actual necessary traveling expenses, and defining its duties.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 631, a bill for an act relating to venue of actions to collect assessments levied to pay losses by hailstorms.

Also, 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 relating to levy for ordinary county revenue.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 381, a bill for an act relating to poll tax and providing a penalty for non-payment.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 506, a bill for an act relating to the protection of ruffed grouse or pheasant.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 637, a bill for an act to extend the provisions of section thirteen hundred six-b (1306-b) of the supplement to the code, 1913, as amended (C. C. 4054) so as to apply to special charter cities having a population of less than two thousand.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 666, a bill for an act relating to the taxation of agricultural lands within cities and towns.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 525, a bill for an act authorizing drainage districts to issue funding bonds for the purpose of settling, adjusting, renewing and extending the legal indebtedness they may have or any part thereof.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 647, a bill for an act to amend section three thousand eight hundred twenty-five-a (3825-a), supplement to the code, 1913, (C. C. 8406) relating to the priority of claims in receivership proceedings.

Read first and second time and referred to sifting committee.

House File No. 818, a bill for an act providing for the appointment by the Governor of a commission on land titles, to serve without compensation, except actual necessary traveling expenses, and defining its duties.

Read first and second time and referred to sifting committee.

House File No. 816, a bill for an act to appropriate nine thousand seven hundred ninety-two dollars and thirty-three cents, (\$9,792.33), or so much thereof as may be necessary for the purpose of paying drainage assessments against state owned land in connection with the drainage of Mud lake.

Read first and second time and referred to committee on appropriations.

House File No. 736, a bill for an act to repeal section one thousand three hundred five (1305), supplement to the code, 1913, (C. C. 4584) and to enact a substitute therefor relating to the valuation of property for purposes of taxation.

Read first and second times and referred to sifting committee.

House File No. 609, a bill for an act making an appropriation to reimburse Lee county, Iowa, on prison breach cases tried between the dates of April 10, 1918, and April 13, 1920.

Read first and second times and referred to committee on appropriations.

House File No. 605, 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 as amended by chapter forty-two (42) of the acts of the Thirty-eighth General Assembly (C. C. section 6868) relating to municipal court fees.

Read first and second times and referred to sifting committee.

House File No. 821, a bill for an act to repeal section twenty-one hundred twenty-six (2126), of the code, (C. C. 5177) and to enact a substitute therefor relating to the powers and duties of the board of railroad commissioners and regulation of carriers.

Read first and second time and referred to sifting committee.

House File No. 815, a bill for an act to repeal the law as it appears in chapter two-b (2-b), title XIV, supplement to the code, 1913, and chapters one hundred sixty-five (165) and two hundred sixteen (216), acts of the thirty-seventh general assembly and all acts amendatory thereof, relating to the drainage of meandered lakes and to the sale of lake beds and to enact a substitute therefor and making an appropriation to pay any expenses incurred under the act.

Read first and second time and referred to committee on appropriations.

HOUSE AMENDMENTS CONSIDERED

Senator Stoddard called up for consideration Senate File No. 325 amended by the House, and moved that the Senate concur in the following amendments:

Amend by adding thereto the following:

Section 2. This act being deemed of immediate importance shall be in full force and effect upon and after its 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, 26.

Abben	Caldwell	Kimberly	Romkey
Adams	Cessna	Mantz	Schmedika
Banta	Fulton	Nelson	Shinn
Brookhart	Gilchrist	Newberry	Slosson
Brookins	Goodwin	Olson	Snook
Browne	Haskell	Reed	Stoddard
Brookins	Holdoegel	Rees	

Nays, none.

Absent or not voting, 24.

Balrd	Dutcher	McIntosh	Shane
Bergman	Ethell	Mead	Smith
Bowman	Hale	Perkins	Thurston
Buser	Hartman	Price	Tuck
Campbell	Horchem	Scott	White
Darting	Johnston	Shaff	Wichman

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Buser called up for consideration Senate File No. 525, amended by the House, and moved that the Senate concur in the following amendment:

Amend by striking from line 1 of section 1 following the word "districts" the words "having and operating a pumping station".

Senator Buser invoked rule 8.

On the question "Shall the Senate concur?" the vote was:

Ayes, 24.

Abben	Fulton	Mead	Shane
Balrd	Hale	Nelson	Shinn
Brookhart	Hartman	Price	Slosson
Brookins	Haskell	Rees	Smith
Buser	Johnston	Schmedika	Snook
Ethell	Kimberly	Shaff	White

Nays, 17.

Adams	Caldwell	Horchem	Perkins
Banta	Gilchrist	Mantz	Scott
Bergman	Goodwin	Newberry	Stoddard
Bowman	Holdoegel	Olson	Tuck
			Wichman

Absent or not voting, 9.

Browne	Darting	McIntosh	Romkey
Campbell	Dutcher	Reed	Thurston
Cessna			

The House amendment having failed to received a constitutional majority was declared to have failed to be adopted and concurred in by the Senate.

Senator Thurston called up for consideration Senate File No. 338, amended by the House, and moved that the Senate concur in the following amendments:

Amend by adding at the end of the last line on page one of said bill the following: "The service in any case to be completed at least five (5) days prior to the date fixed in said notice".

On the question "Shall the Senate concur?" the vote was:

Ayes, 29.

Abben	Campbell	Mantz	Shinn
Adams	Cessna	Nelson	Slosson
Banta	Fulton	Newberry	Snook
Brookhart	Gilchrist	Price	Stoddard
Brookins	Goodwin	Reed	Thurston
Browne	Haskell	Romkey	
Buser	Holdoegel	Schmedika	
Caldwell	Kimberly	Scott	

Nays, none.

Absent or not voting, 21.

Baird	Hale	Mead	Shane
Bergman	Hartman	Olson	Smith
Bowman	Horchem	Perkins	Tuck
Darting	Johnston	Rees	White
Dutcher	McIntosh	Shaff	Wichman
Ethell			

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Stoddard called up for consideration Senate File No. 549 amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking the words and figures "eight hundred thirty-eight dollars and thirty-five cents (\$838.35)" wherever they appear and inserting in lieu thereof the words and figures "seven hundred seventy dollars and five cents (\$770.05)".

On the question "Shall the amendments be adopted?" the vote was:

Ayes, 34.

Abben	Campbell	Nelson	Shane
Adams	Fulton	Newberry	Shinn
Banta	Gilchrist	Olson	Slosson
Bergman	Goodwin	Price	Snook
Brookhart	Hale	Reed	Stoddard
Brooklins	Haskell	Rees	Thurston
Browne	Holdoegel	Romkey	Wichman
Buser	Kimberly	Schmedika	
Caldwell	Mantz	Scott	

Nays, none.

Absent or not voting, 16.

Baird	Dutcher	Johnston	Shaff
Bowman	Ethell	McIntosh	Smith
Cessna	Hartman	Mead	Tuck
Darting	Horchem	Perkins	White

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

CONFERENCE REPORT ON SENATE FILE 273 CONSIDERED

Senator Caldwell called up for consideration the following conference committee report and moved its adoption:

Your joint conference committee to whom was referred Senate File No. 273, beg leave to report that they have considered the matters in dispute in which the Senate refused to concur in the House amendments and report that they recommend a compromised report as follows:

That Senate File No. 273 be amended as follows:

NO. 1

By striking out all of section 4 and substituting in lieu thereof the following:

Sec. 4. The taxes collected under the provisions of this act shall be paid into the office of the secretary of state who shall pay the same into the office of the treasurer of state without delay. The treasurer of state shall credit one-third ($\frac{1}{3}$) of the tax so received to the primary road fund of the state to be distributed as other primary road funds. The treasurer of state shall apportion the remainder of said fund so received by him among the various counties of the state in the ratio that the assessed valuation of the property in each county (exclusive of moneys and credits) bears to the assessed valuation of all property in the state (exclusive of moneys and credits). The apportionment shall be made as herein provided.

When each month's collection of the said funds have been received by the treasurer of state, the said funds shall then be apportioned and transmitted by the treasurer of state to the county treasurer of each county in the proportion as above provided, and shall be used by the board of supervisors of the counties for the improvement and maintenance of the secondary road system of said counties on the road system herein provided.

The fund so received by the county treasurer shall be by him kept in a fund known as the "secondary road fund" and shall be by the board of supervisors used for the purpose of grading, draining and gravelling, or otherwise improving and maintaining the county road system in such county and said main traveled roads of the township roads of said county as may be selected by the trustees in each township, which selection shall be approved by the board of supervisors and which county road system as may be so improved shall be deemed to include all extensions of such road system within the limits of any cities or towns in such county; provided, however, that in every county containing a city having a population of nine thousand (9,000) or over, said fund shall be apportioned and used by the several boards of supervisors among the several townships of each county in the ratio that the assessed valuation of the property in each township (exclusive of moneys and credits) bears to the assessed valuation of all property in the county (exclusive of moneys and credits), except that such part of said funds as may not be needed for the improvement and maintenance of such county roads and main traveled township roads within such township may be used by the board of supervisors for the same purpose upon any highways radiating therefrom.

Expenditures within cities or towns shall be made under the direction of the city or town councils, subject to the approval of the board of supervisors.

NO. 2

Amend section five (5) by inserting between the word "sold" and the word "except" the words "or used".

NO. 3

Amend by striking out all of section twelve (12) and substituting in lieu thereof the following:

"Sec. 12. Section fifteen hundred seventy-b two (1570-b2) supplement to the code, 1913, as amended by chapter two hundred forty-two (242) acts of the Thirty-eighth General Assembly (C. C. 2982) is hereby amended by striking out the word "shall" following the figures "1907" in the first line of page 572 of the supplement to the code, 1913, and inserting in lieu thereof the word "may". That the law as it appears in section fifty-five (55), chapter two hundred thirty-seven (237) acts of the Thirty-eighth General Assembly (C. C. 2962) be repealed."

NO. 4

Also amend by adding after section thirteen (13) the following:

"Sec. 14. This act being deemed of immediate importance shall be in

full force and effect from and after its publication in the Des Moines Register and The Iowa Forum, newspapers published in Des Moines, Iowa.

On the question "Shall the Senate concur in and adopt the report?" the vote was:

Ayes, 26.

Abben	Caldwell	Horchem	Shaff
Adams	Darting	Kimberly	Slosson
Baird	Gilchrist	Mantz	Stoddard
Banta	Goodwin	Newberry	White
Bergman	Hale	Olson	Wichman
Brookhart	Haskell	Reed	
Brookins	Holdoegel	Scott	

Nays, 15.

Browne	Johnston	Romkey	Snook
Buser	Nelson	Schmedika	Thurston
Cessna	Price	Shane	Tuck
Fulton	Rees	Shinn	

Absent or not voting, 9.

Bowman	Ethell	McIntosh	Perkins
Campbell	Hartman	Mead	Smith
Dutcher			

The question having received a constitutional majority, the report of the committee and the amendments proposed were declared to have been adopted and concurred in by the Senate.

HOUSE AMENDMENTS CONSIDERED

Senator Darting called up for consideration Senate File No. 546 amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking all of section one (1) and inserting in lieu thereof the following:

"Section 1. When a special charter city or town shall abandon its charter the funds which it may then have on hand shall be transferred to the appropriate funds under its new organization in such proportions as the council shall determine."

On the question "Shall the amendments be adopted" the vote was:

Ayes, 33.

Abben	Browne	Haskell	Kimberly
Baird	Darting	Holdoegel	Mantz
Banta	Fulton	Horchem	Nelson
Brookhart	Hale	Johnston	Newberry

Olson	Rees	Shaff	Snook
Perkins	Romkey	Shane	Stoddard
Price	Schmedika	Shinn	Tuck
Reed	Scott	Slosson	White
			Wichman

Nays, none.

Absent or not voting, 17.

Adams	Buser	Dutcher	Hartman
Bergman	Caldwell	Ethell	McIntosh
Bowman	Campbell	Gilchrist	Mead
Brookins	Cessna	Goodwin	Smith
			Thurston

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Wichman called up for consideration Senate File No. 361 amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking out all of section two (2) and substituting in lieu thereof the following:

"Sec. 2. The board of railroad commissioners of the state of Iowa is hereby vested with the power to prescribe rules and regulations for the operation of motor vehicles as defined herein for the protection and safety of the public."

Amend section four (4) by striking out the period at the end of line eight (8) and inserting a semicolon (;) in lieu thereof and the following:

"but a certificate shall be granted when it appears to the satisfaction of the board of railroad commissioners that such person, firm or corporation was actually operating in good faith, over the route for which such certificate shall be sought on April 14, 1923".

Amend section eleven (11) by relettering subsections "(f)" to "(h)" as "(e)" to "(g)" respectively.

Amend by striking out all after the comma (,) in line ten (10) of section thirteen (13) and inserting in lieu thereof the following: "shall forfeit the certificates as provided herein".

Amend by striking out all of subsection "e" including lines 27 to 40, inclusive, of section eleven (11).

On the question "Shall the amendments be adopted" the vote was:

Ayes, 33.

Abben	Fulton	Newberry	Shaff
Adams	Gilchrist	Olson	Slosson
Baird	Hale	Perkins	Snook
Banta	Hartman	Price	Stoddard
Bergman	Haskell	Reed	White
Brookins	Holdoegel	Rees	Wichman
Caldwell	Horchem	Romkey	
Cessna	Kimberly	Schmedika	
Darting	Mantz	Scott	

Nays, 5.

Johnston
Nelson

Shane

Shinn

Tuck

Absent or not voting, 12.

Bowman
Brookhart
Browne

Buser
Campbell
Dutcher

Ethell
Goodwin
McIntosh

Mead
Smith
Thurston

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Haskell House File No. 806, a bill for an act authorizing and empowering fraternal beneficiary societies, orders and associations now organized and existing, or hereafter organized, under and by virtue of the laws of the state of Iowa, or any such society, order or association, organized and existing under and by virtue of the laws of any other state, province or territory, and now or hereafter admitted to do business within this state, to create, maintain and operate for the benefit of its sick, disabled or distressed members and their families and dependents, hospitals, asylums, sanitoriums, schools and homes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Haskell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Abben
Adams
Baird
Banta
Bergman
Bowman
Brookhart
Brookins
Buser
Caldwell
Darting

Fulton
Gilchrist
Goodwin
Hale
Hartman
Haskell
Holdoegel
Horchem
Johnston
Kimberly
Mantz

Nelson
Newberry
Perkins
Price
Reed
Rees
Romkey
Schmedika
Scott
Shaff
Shane

Shinn
Slosson
Snook
Stoddard
Thurston
Tuck
White
Wichman

Nays, none.

Absent or not voting, 9.

Browne
Campbell
Cessna

Dutcher
Ethell

McIntosh
Mead

Olson
Smith

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Price moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Kimberly, House File No. 769, a bill for an act to legalize certain ordinances of the city of Davenport, Scott county, Iowa, providing for the issuance of corporate bonds and for taxes to pay the principal and interest 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 Kimberly moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Dutcher	Mantz	Shane
Adams	Gilchrist	Mead	Shinn
Baird	Goodwin	Nelson	Slosson
Bergman	Hale	Newberry	Snook
Bowman	Hartman	Perkins	Stoddard
Brookhart	Haskell	Price	Tuck
Brookins	Holdoegel	Reed	Wichman
Buser	Horchem	Romkey	
Cessna	Johnston	Scott	
Darting	Kimberly	Shaff	

Nays, none. •

Absent or not voting, 13.

Banta	Ethell	Rees	White
Browne	Fulton	Schmedika	
Caldwell	McIntosh	Smith	
Campbell	Olson	Thurston	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent Senator Kimberly withdrew Senate File No. 660 from further consideration.

On motion of Senator Banta House File No. 681, a bill for an act to require the labelling of mattresses and comforts, to prohibit the use of infectious, unsanitary, unhealthful, or second-hand material in their manufacture, and to prohibit any person from manufacturing, selling, offering or consigning for sale, or having in his possession with intent to sell, offer for sale, or consign for sale, any mattress or comfort, unless the same be made wholly of new material and labelled as hereinafter provided, and repealing chapter four hundred six (406), 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 Buser offered the following amendment and moved its adoption:

Amend by striking from line 1 of section 2 the words "person to manufacture" and inserting in lieu thereof the words "manufacturer or his agent to".

The amendment was adopted.

The bill was read for information.

Senator Banta moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Abben	Fulton	Newberry	Shinn
Adams	Goodwin	Olson	Slosson
Baird	Hartman	Perkins	Smith
Banta	Haskell	Price	Snook
Bowman	Holdoegel	Rees	Stoddard
Brookhart	Horchem	Romkey	Tuck
Buser	Kimberly	Schmedika	White
Cessna	Mantz	Scott	Wichman
Darting	Mead	Shaff	
Dutcher	Nelson	Shane	

Nays, none.

Absent or not voting, 12.

Bergman	Caldwell	Gilchrist	McIntosh
Brookins	Campbell	Hale	Reed
Browne	Ethell	Johnston	Thurston

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:

Amend the title by striking from line 4 the words "person from manufacturing," and inserting in lieu thereof the words "manufacturer or his agent from".

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Gilchrist, House File No. 548, a bill for an act to amend the law as it appears in section one thousand nine hundred eighty-nine-a twenty-six (1989-a26) supplement to the code, 1913, as amended by chapter three hundred forty-four (344), acts of the Thirty-seventh General Assembly and chapters sixty-four (64) and two hundred seventy-one (271), acts of the Thirty-eighth General Assembly (C. C. 4874), relating to the collection of special assessments in drainage districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Gilchrist moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Abben	Dutcher	Mantz	Shaff
Adams	Gilchrist	Mead	Shane
Banta	Goodwin	Nelson	Shinn
Brookhart	Hale	Newberry	Snook
Brookins	Haskell	Perkins	Stoddard
Browne	Horchem	Romkey	White
Cessna	Johnston	Schmedika	Wichman
Darting	Kimberly	Scott	

Nays, none.

Absent or not voting, 19.

Baird	Campbell	McIntosh	Slosson
Bergman	Ethell	Olson	Smith
Bowman	Fulton	Price	Thurston
Buser	Hartman	Reed	Tuck
Caldwell	Holdoegel	Rees	

The bill having received a constitutional majority was declared to have passed the Senate.

HOUSE AMENDMENTS CONSIDERED

Senator Stoddard called up for consideration Senate File No. 458, and moved that the Senate insist on its amendments to the House amendments, found on page 1498 of the Senate Journal.

On the question "Shall the Senate insist on its amendments?" the vote was:

Ayes, 27.

Abben	Dutcher	Kimberly	Scott
Adams	Gilchrist	Mantz	Shaff
Baird	Goodwin	Mead	Slosson
Banta	Hale	Newberry	Stoddard
Bergman	Haskell	Olson	White
Bowman	Holdoegel	Perkins	Wichman
Darting	Horchem	Reed	

Nays, 14.

Browne	Hartman	Romkey	Snook
Buser	Johnston	Schmedika	Tuck
Cessna	Nelson	Shane	
Fulton	Price	Shinn	

Absent or not voting, 9.

Brookhart	Campbell	McIntosh	Smith
Brookins	Ethell	Rees	Thurston
Caldwell			

The motion prevailed.

Senator Stoddard moved that a conference committee be appointed on this bill, which motion prevailed.

Senator Mantz called up for consideration Senate File No. 666 amended by the House and moved that the Senate concur in the following amendments:

Amend Senate File No. 666 by inserting between the word "town" and the word "or" in line six (6) of section one (1) the following: "having a population of five thousand or less".

On the question "Shall the Senate concur?" the vote was:

Ayes, 36.

Abben	Bowman	Gilchrist	Horchem
Adams	Brookhart	Goodwin	Kimberly
Baird	Caldwell	Hartman	Mantz
Banta	Ethell	Haskell	Mead
Bergman	Fulton	Holdoegel	Newberry

Price	Scott	Slosson	Thurston
Reed	Shaff	Smith	Tuck
Rees	Shane	Snook	White
Schmedika	Shinn	Stoddard	Wichman

Nays, none.

Absent or not voting, 14.

Brookins	Cessna	Johnston	Perkins
Browne	Darting	McIntosh	Romkey
Buser	Dutcher	Nelson	
Campbell	Hale	Olson	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Baird, Senate File No. 674, a bill for an act to amend section six hundred eighty-six (686) of the code, 1897, as amended by chapter eighty-four (84) of the acts of the Thirty-ninth (39th) General Assembly (C. C. section 3580), relating to publication of ordinances, 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 all following the enacting clause and inserting in lieu thereof the following:

"Section 1. That the law as it appears in section six hundred eighty-six (686) of the code, 1897, as amended by chapter eighty-four (84) of the acts of the Thirty-ninth (39th) General Assembly (C. C. section 3580) be, and the same is hereby amended to read as follows: 'All ordinances shall, as soon as may be after their passage, be recorded in a book kept for that purpose, and be authenticated by the signature of the presiding officer of the council and the clerk; and all ordinances of a general or permanent nature, and those imposing any fine, penalty or forfeiture shall be published in a newspaper published and having a general circulation in the city or town; and it shall be sufficient defense to any suit or prosecution for such fine, penalty or forfeiture to show that no such publication was made; but if no such newspaper is published within the limits of the corporation, then such ordinances may be published in a newspaper to be designated by the council, having a general circulation in such city or town, or by posting up copies thereof in three public places within the limits thereof, two of which places shall be the postoffice and the mayor's office of such city or town. When the ordinance is published in a newspaper, it shall take effect from and after its publication; when published

by posting, it shall take effect five days thereafter. Immediately following the record of every ordinance, the clerk shall append a certificate, stating therein the time and manner of publication thereof, which certificate shall be presumptive evidence of the facts therein stated'."

The bill was read for information.

Senator Baird moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Abben	Ethell	Mantz	Scott
Adams	Fulton	Mead	Shaff
Baird	Gilchrist	Nelson	Shane
Banta	Goodwin	Newberry	Shinn
Bergman	Hale	Olson	Slosson
Bowman	Hartman	Perkins	Smith
Brookhart	Haskell	Reed	Snook
Brookins	Holdoegel	Rees	Stoddard
Browne	Horchem	Romkey	White
Caldwell	Kimberly	Schmedika	Wichman

Nays, none.

Absent or not voting, 10.

Buser	Darting	McIntosh	Tuck
Campbell	Dutcher	Price	
Cessna	Johnston	Thurston	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Baird moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Tuck, House File No. 268, a bill for an act to repeal section thirty-five (35) of chapter two hundred thirty-seven (237) acts of the Thirty-eighth General Assembly (C. C. 2943) as amended by chapters fifty-six (56) and one hundred four (104) acts of the Thirty-ninth General Assembly relating to the primary road system and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Tuck offered the following amendment and moved its adoption:

Amend by inserting after the word "system" in line 15 of section 1 the words "but no hard surfacing shall be done except as authorized by a vote of the electors of the county".

The amendment was adopted.

Senator Tuck moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 43.

Abben	Cessna	Mead	Shaff
Adams	Ethell	Nelson	Shane
Baird	Fulton	Newberry	Shinn
Banta	Gilchrist	Olson	Slosson
Bergman	Goodwin	Perkins	Snook
Bowman	Hale	Price	Stoddard
Brookhart	Hartman	Reed	Thurston
Brookins	Holdoegel	Rees	Tuck
Browne	Horchem	Romkey	White
Buser	Kimberly	Schmedika	Wichman
Caldwell	Mantz	Scott	

Nays, 1.

Smith

Absent or not voting 6.

Campbell	Dutcher	Johnston	McIntosh
Darting	Haskell		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Tuck moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Mantz Senate File No. 613, a bill for an act to repeal sections seven (7) and eight (8) chapter fourteen (14), of the Thirty-ninth General Assembly and enacting substitutes therefor relating to vocational education, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Mantz moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Dutcher	Johnston	Reed
Adams	Ethell	Kimberly	Romkey
Baird	Fulton	Mantz	Schmedika
Banta	Goodwin	Mead	Scott
Bergman	Hale	Nelson	Shaff
Bowman	Hartman	Newberry	Slosson
Brookhart	Haskell	Olson	Smith
Brookins	Holdoegel	Perkins	White
Caldwell	Horchem	Price	Wichman
Cessna			

Nays, 5.

Buser	Shinn	Snook	Tuck
Shane			

Absent or not voting, 8.

Browne	Darting	McIntosh	Stoddard
Campbell	Gilchrist	Rees	Thurston

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Mantz offered the following amendment to the title and moved its adoption:

Amend by inserting after the word "vocational" in line 3 of the title the word "rehabilitation".

The amendment was adopted and the title as amended agreed to.

On motion of Senator Mantz, Senate File No. 614, a bill for an act to amend section one (1), of chapter two hundred and ninety-six (296), acts of the Thirty-ninth General Assembly and section two (2), of chapter two hundred and ninety-six (296), of the Thirty-ninth General Assembly relating to the appropriation of State funds to meet the Federal appropriation aiding vocational education, 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 all after the enacting clause and substituting in lieu thereof the following:

Section 1. That chapter two hundred ninety (290), laws of the Thirty-seventh General Assembly as amended by chapter three hundred thirty-seven (337), laws of the Thirty-eighth General Assembly, and chapter two hundred ninety-six (296) laws of the Thirty-ninth General Assembly

is amended by striking out all of lines 22, 23, 24, 25 and 26, enacted by chapter three hundred thirty-seven (337), laws of the Thirty-eighth General Assembly, and substituting in lieu thereof the following:

"For the purpose of carrying out the provisions of this act, there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated the sum of sixty thousand dollars (\$60,000.00) for the year ending June 30, 1924, and the sum of sixty thousand dollars (\$60,000.00) for the year ending June 30, 1925."

Sec. 2. That section ten (10) of chapter two hundred ninety (290), laws of the Thirty-seventh General Assembly as amended by section two (2) of chapter three hundred thirty-seven (337), laws of the Thirty-eighth General Assembly and by section two (2), chapter two hundred ninety-six (296), laws of the Thirty-ninth General Assembly, is amended by striking out the figures "1922" in line six (6) and inserting in lieu thereof the figures "1924", and by striking out the figures "1923" in line seven (7) and inserting in lieu thereof the figures "1925".

Senator Shane offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause and substituting the following in lieu thereof:

Section 1. Sections five (5) and five-a (5-a) of chapter two hundred ninety (290), acts of the Thirty-seventh General Assembly, being section one (1) of chapter three hundred thirty-seven (337), acts of the Thirty-eighth General Assembly, are repealed and the following is enacted in lieu thereof, to wit:

"Sec. 5. In order to meet the requirements, that for each dollar of federal money expended for the salaries of teachers in approved schools, departments and classes, the local community must expend an amount equal to the amount of federal money which it receives for the same purpose, or the same year."

Sec. 2. Section ten (10) of chapter two hundred ninety (290), acts Thirty-seventh (37) General Assembly, as amended by section two (2) of chapter three hundred thirty-seven (337), acts Thirty-eighth (38) General Assembly is amended by striking from line nine (9) the character and figures "\$9,000" and by inserting in lieu thereof the character and figures "\$3,000".

Senator Wichman raised the point of order that Senator Shane's amendment could not be considered as it was the same as a bill which had been previously indefinitely postponed.

The President held the point not well taken as the bill under question had been reported out for indefinite postponement, but the report rejected and the bill placed on the calendar, and no further action had been taken to date.

Senator Smith offered the following amendment to the amendment and moved its adoption:

Amend by striking out section 2 and inserting in lieu thereof the following:

"Sec. 2. Section two (2) of chapter two hundred ninety-six (296) acts of the Thirty-ninth (39) General Assembly is hereby amended by striking out of lines five (5) six (6) and seven (7) the words and figures "ten thousand dollars (\$10,000.00)" and inserting in lieu thereof the words and figures "three thousand dollars (\$3,000.00)" and by striking out of line six (6) the figures "1922" and inserting in lieu thereof the figures "1924" and by striking out of line seven (7) the figures "1923" and inserting in lieu thereof the figures "1925".

The amendment to the amendment was adopted.

On motion of Senator Brookhart, the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President John Hammill presiding.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 614.

Senator Adams moved the previous question, which motion prevailed and the previous question was ordered.

Senator Shane invoked rule 8.

On the question "Shall the substitute amendment offered by Senator Shane be adopted?" the vote was:

Ayes, 24.

Adams	Ethell	Price	Shinn
Bergman	Fulton	Reed	Slosson
Brookhart	Hartman	Rees	Smith
Brookins	Johnston	Romkey	Snook
Busch	Mead	Schmedika	Thurston
Cessna	Nelson	Shane	Tuck

Nays, 21.

Baird	Gilchrist	Mantz	Stoddard
Banta	Goodwin	Newberry	White
Bowman	Haskell	Olson	Wichman
Caldwell	Holdoegel	Perkins	
Campbell	Horchem	Scott	
Dutcher	Kimberly	Shaff	

Abseht or not voting, 5.

Abben
Browne

Darting

Hale

McIntosh

The amendment was adopted.

The bill was read for information.

Senator Mantz moved that 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	Dutcher	Mantz	Shane
Baird	Ethell	Mead	Slosson
Banta	Goodwin	Nelson	Smith
Bergman	Hartman	Newberry	Snook
Brookhart	Haskell	Olson	Stoddard
Brookins	Holdoegel	Perkins	Thurston
Buser	Horchem	Rees	Tuck
Caldwell	Johnston	Romkey	White
Campbell	Kimberly	Schmedika	Wichman

Nays, 1.

Price

Absent or not voting, 13.

Abben	Cessna	Gilchrist	Reed
Bowman	Darting	Hale	Scott
Browne	Fulton	McIntosh	Shaff
			Shinn

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Shane offered the following amendment to the title and moved its adoption:

Amend by striking the title and inserting in lieu thereof the following:

An act to amend chapter two hundred ninety (290), acts Thirty-seventh (37) General Assembly, as amended by chapter three hundred thirty-seven (337), acts Thirty-eighth (38) General Assembly, relating to vocational education.

The amendment was adopted and the title as amended was agreed to.

Senator Mantz moved that the vote by which the bill passed the Senate be reconsidered and that motion be laid on the table, which motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 314, 547, 570, and 700.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 314, 547, 570 and 700.

CONFERENCE COMMITTEES APPOINTED

President Hammill appointed as members of the conference committee on Senate File No. 354 on the part of the Senate, Senators Abben, chairman, Darting, Hale, and Browne, and as members of the conference committee on Senate File No. 458 Senators Stoddard, Brookhart, Shane, and Wichman.

By unanimous consent Senator Smith withdrew Senate File No. 537 from further consideration.

On motion of Senator Stoddard, Senate File No. 711, a bill for an act making an appropriation to provide for Ardis Roberdee recipient of injuries in line of duty at Camp Dodge, Iowa, 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 all after section one (1) and substituting in lieu therefor the following:

Sec. 2. There is hereby appropriated out of any money in the state treasury the sum of seven thousand five hundred dollars (\$7,500.00) for the benefit of Ardis Roberdee and the state auditor is hereby authorized and directed to issue a warrant for said sum payable to E. R. Moore of Cedar Rapids, Iowa, as trustee, and the treasurer of state is hereby authorized and directed to pay, out of any funds in the state treasury not otherwise appropriated, to said trustee the said sum of seven thousand five hundred dollars (\$7,500).

Sec. 3. Said trustee shall, before the payment of said warrant, qualify as such trustee by filing with the clerk of the district court of Linn county, Iowa, a bond in double the amount of this appropriation, said bond to be approved by the clerk of said court.

Sec. 4. The said trustee is hereby authorized, empowered and directed to invest said sum in government, state, county or municipal bonds, or first mortgages upon Iowa farm real estate, or otherwise as directed by the district court of Linn county, Iowa, said sum to be invested so as to yield the largest rate of interest compatible with safety.

Sec. 5. The trustee shall use the interest derived from said fund, and such part of the principal as may be approved by the district court of Linn county, Iowa, for the education, keep and care of said Ardis Roberdee until said fund and the income shall have been consumed.

Sec. 6. The said trustee shall make annual reports of his doing to the district court of Linn county, Iowa, and said district court of Linn county, Iowa, is hereby authorized to make such orders touching the investment and disbursement of said sum and the income therefrom as may be recommended by the said trustee or his successors and be approved by said court.

A vacancy in the office of said trustee shall be filled by appointment by the district court of Linn county, Iowa, or a judge thereof.

Sec. 7. Upon the death of said Ardis Roberdee the trust fund remaining in the hands of the trustee, if any, shall pass to his estate and be distributed as other property.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by adding to the end of section 5 the following: "and said trust fund shall be exempt from taxation".

The amendment was adopted.

The bill was read for information.

Senator Haskell moved that 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	Ethell	Johnston	Price
Baird	Fulton	Kimberly	Reed
Bergman	Gilchrist	Mantz	Rees
Bowman	Goodwin	Mead	Romkey
Brookhart	Hartman	Nelson	Schmedika
Caldwell	Haskell	Newberry	Scott
Campbell	Horchem	Olson	Shaff

Shane
Shinn
Slosson

Smith
Snook
Stoddard

Thurston
Tuck
White

Wichman

Nays, none.

Absent or not voting, 12.

Abben
Banta
Brookins

Browne
Buser
Cessna

Darting
Dutcher
Hale

Holdoegel
McIntosh
Perkins

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Haskell moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Ethell, Senate File No. 567, a bill for an act to pension survivors of the Captain John W. Ferguson's Company of State Militia known as "Davis County Regulators," providing the amount of such pension, the method of payment, and making an appropriation therefor, with report of committee recommending amendment and passage was taken up and considered, and the report of the committee adopted.

Senator Bergman offered the following amendment and moved its adoption:

Amend by adding to section 1 the following: "Provided that beneficiaries are bona fide residents of the state of Iowa and furnish to the adjutant general proof of not less than three months' continuous guard or patrol duty as their chief occupation. This pension to cease after twenty-four (24) monthly installments are made."

The amendment was adopted.

Senator Ethell moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Adams	Ethell	Mantz	Shane
Baird	Fulton	Nelson	Shinn
Bowman	Goodwin	Newberry	Slosson
Brookhart	Hartman	Perkins	Snook
Brookins	Haskell	Price	Stoddard
Buser	Holdoegel	Reed	Thurston
Campbell	Horchem	Rees	Wichman
Dutcher	Kimberly	Shaff	

Nays, 2.

Smith White

Absent or not voting, 17.

Abben	Cessna	McIntosh	Scott
Banta	Darting	Mead	Tuck
Bergman	Gilchrist	Olson	
Browne	Hale	Romkey	
Caldwell	Johnston	Schmedika	

The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

On motion of Senator Bowman, Senate File No. 498, a bill for an act to encourage draft horse industry in the state of Iowa, and to aid in providing instruction in practical and scientific methods, and making an appropriation therefor, was taken up and considered, the report of the committee recommending indefinite postponement having been rejected.

Senator Newberry offered the following amendment and moved its adoption:

Amend by striking from line 1 of section 2 the words "Instructions, inspection; executive board, "; by striking the words "Inspectors and instruction; compensation and expenses" from lines 1 and 2 of section 3; by striking the words "salaries and expenses; how paid" from line 1 of section 4; and by striking the word "appropriations" from line 1 of section 5.

The amendment was adopted.

Senator Campbell offered the following amendment and moved its adoption:

Amend by adding after the word "draft horses" in line 5 of section 2 the words "jack asses and Shetland ponies".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 17.

Adams	Kimberly	Romkey	Smith
Buser	Mead	Schmedika	Snook
Campbell	Nelson	Shane	Thurston
Johnston	Price	Shinn	Tuck
			White

Nays, 19.

Baird	Caldwell	Horchem	Scott
Banta	Dutcher	Mantz	Shaff
Bowman	Goodwin	Newberry	Stoddard
Brookhart	Haskell	Olson	Wichman
Brookins	Holdoegel	Reed	

Absent or not voting, 14.

Abben	Darting	Hale	Rees
Bergman	Ethell	Hartman	Slosson
Browne	Fulton	McIntosh	
Cessna	Gilchrist	Perkins	

The amendment was lost.

The bill was read for information.

Senator Bowman moved that the reading just had be considered the third reading, which motion prevailed.

Senator Bowman invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 21.

Abben	Caldwell	Horchem	Reed
Adams	Dutcher	Kimberly	Shaff
Baird	Goodwin	Mantz	Stoddard
Banta	Hale	Newberry	
Bowman	Haskell	Olson	
Brookins	Holdoegel	Perkins	

Nays, 19.

Brookhart	Hartman	Rees	Smith
Browne	Johnston	Romkey	Snook
Buser	Mead	Schmedika	Thurston
Fulton	Nelson	Shinn	White
Campbell	Price	Slosson	

Absent or not voting, 10.

Bergman	Ethell	Scott	Wichman
Cessna	Gilchrist	Shane	
Darting	McIntosh	Tuck	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Bergman moved that the treasurer of state be permitted to use the Senate Chamber from 1:30 to 2 p. m. on Monday, April 16th for the purpose of selling bonus bonds.

Senator Price moved as a substitute that on that date the Senate remain in session until 12:45 and then adjourn until 2 p. m.

The substitute was adopted.

By unanimous consent Senator Mead withdrew Senate File No. 510 from further consideration.

On motion of Senator Price, House File No. 604, a bill for an act to make an appropriation for the payment of the expenses incurred in the election of Rumley vs. Springer, 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 moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Dutcher	Mead	Shaff
Adams	Ethell	Nelson	Shinn
Baird	Fulton	Newberry	Slosson
Banta	Goodwin	Olson	Smith
Brookhart	Hale	Perkins	Snook
Brookins	Haskell	Price	Stoddard
Browne	Holdoegel	Reed	Thurston
Buser	Horchem	Rees	Tuck
Caldwell	Kimberly	Romkey	Wichman
		Schmedika	

Nays, none.

Absent or not voting, 13.

Bergman	Cessna	Hartman	Mantz
Bowman	Darting	Johnston	Scott
Campbell	Gilchrist	McIntosh	Shane
			White

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Price moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senate File No. 750, by sifting committee, a bill for an act to amend section thirteen hundred fifty (1350) of the code (C. C. 4493) relating to the assessment of personal and real property.

Read first and second times and placed on the calendar.

Senate File No. 751, by committee on appropriations, a bill for an act making an appropriation to the executive council for the purpose of collecting and tabulating the census for the year 1925 and expenses incident thereto.

Read first and second times and placed on the calendar.

Senate File No. 752, by committee on appropriations, a bill for an act making an appropriation for the maintenance and improvement of the state capitol grounds for the biennial period commencing July 1, 1923, and ending June 30, 1925.

Read first and second times and placed on the calendar.

Senate File No. 753, by committee on code revision, a bill for an act to repeal chapter three hundred thirty-three (333), acts of the Thirty-ninth general assembly and to enact a substitute therefor, relating to the preparation, printing and distribution of a supplement to the compiled code and of amendments and revisions of code commissioners' bills, and to provide for the expense thereof, to make an appropriation therefor, and to fix and prescribe the duties of the committee on retrenchment and reform in relation thereto.

Read first and second times and placed on calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 395, a bill for an act to indemnify John Young and Retta Young.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 388, a bill for an act to indemnify John S. Young.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 362, a bill for an act to compensate second Lieutenant Charles R. Messett.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 460, a bill for an act to provide funds for completing sheep barn, and for maintenance, repairs and improvement to buildings on the state fair grounds, and to make an appropriation therefor.

Also, that the House has concurred in Senate amendments to House File No. 681, a bill for an act requiring the labelling of mattresses and comforts, to prohibit the use of infectious, unsanitary, unhealthful, or second-hand material in their manufacture, etc.

Also that the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

Concurrent resolution relating to the organization of the General Assembly for a special session.

HOUSE CONCURRENT RESOLUTION

Whereas, It is at this time apparent that an extraordinary session of the legislature will be necessary to complete the code revision, and

Whereas, The work of such extraordinary session can be materially hastened by providing for an organization in advance, and

Whereas, It is the desire of the members of the Fortieth General Assembly that the extraordinary session be completed as soon as possible, and

Whereas, Prior to the present session of the legislature approximately one hundred twenty-five thousand dollars (\$125,000.00) was expended in the preparation of the work of code revision, and the said expenditure will be wholly lost unless such an extra session is called at this time for the completion of code revision.

Now, Therefore, Be It Resolved by the House, the Senate concurring:

(1) That to avoid all unnecessary delay, the present organization of the House and Senate be continued so far as possible for the extra session, and that all standing committees of the House and Senate as the same are constituted at the time of adjournment, shall be the standing committees for the extra session.

(2) That all of the code commissioner's bills that have been introduced in the Fortieth General Assembly and not passed and are now assigned to the regular standing committees of the House and Senate and by the chairmen of such standing committees assigned to sub-committees, remain in the hands of such sub-committees for further consideration and preparation of their reports until the special session shall convene in order that such bills may be placed on the calendar immediately upon the reconvening of the General Assembly in extra session. Provided, however, that such code revision bills as have been affected by legislation of the Fortieth General Assembly may be by such sub-committees returned

to the code editor for the preparation of such amendments or new bills as may by the code commission be deemed necessary.

Provided, Further, That such bills now pending as have been introduced in the Fortieth General Assembly as code revision bills and numbered from one (1) to two hundred sixty-two (262), both inclusive, shall be considered at the special session without the necessity of reintroducing such bills or any further reference of same to standing committees.

(3) That the committee on retrenchment and reform are hereby authorized to provide for the services of the secretary of the Senate and the chief clerk of the House for such time preceding the special session as may be necessary to arrange for the work of the extraordinary session, and for placing the voting machine in readiness for the use of the House, and the making of such other preparations as will expedite the organization of such session, and the employment of the clerical help and other employes that may be necessary.

Also, that the House has amended and adopted Senate concurrent resolution directing the state board of education and the board of control to file with the Governor an itemized statement of the proposed askings from the General Assembly at the next session.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Stoddard Senate File No. 572, a bill for an act providing for the support and maintenance of the Iowa National Guard Reservation, Camp Dodge, and making an appropriation therefor, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments were withdrawn.

Senator Stoddard offered the following amendment and moved its adoption:

Amend Senate File No. 572 as follows: Strike out all of section one (1) and insert in lieu thereof the following:

Section 1. There is hereby annually appropriated out of any funds in the state treasury not otherwise appropriated the sum of twenty thousand dollars (\$20,000.00), or so much thereof as may be necessary, for the maintenance of Camp Dodge. Expenditures from said appropriation shall be certified by the adjutant general and approved by the Governor, and proper vouchers therefor shall be filed with the state board of audit before warrants are issued by the auditor of state. No indebtedness shall be created in excess of such annual appropriation.

The amendment was adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Fulton	Kimberly	Shinn
Baird	Gilchrist	Mead	Slosson
Banta	Goodwin	Newberry	Smith
Brookhart	Hale	Perkins	Stoddard
Brookins	Hartman	Reed	Thurston
Caldwell	Haskell	Rees	Tuck
Campbell	Holdoegel	Schmedika	Wichman
Dutcher	Horchem	Scott	
Ethell	Johnston	Shaff	

Nays, 5.

Browne	Nelson	White
Buser	Snook	

Absent or not voting, 11.

Adams	Cessna	Mantz	Romkey
Bergman	Darting	Olson	Shane
Bowman	McIntosh	Price	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Stoddard, Senate File No. 745, a bill for an act to make appropriation for the payment of state and other expenses, a committee bill, was taken up and considered.

Senator Stoddard offered the following amendments and moved their adoption:

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated the following sums, or so much thereof as may be necessary to pay the claims and expenses indicated:

R. F. Wolfe (S. F. 705)	\$ 17.20
Globe Machinery & Supply Co. (S. F. 706)	13.27
The Clinton Advertiser (S. F. 704)	8.95
McNamara Office Supply Co. (S. F. 709)	32.25
C. M. Meusel (S. F. 331)	29.50
Mercy Hospital, Cedar Rapids (H. F. 571)	21.90
Drs. Murphy, Neuzil, and Victorine (H. F. 571)	58.00
W. H. Cleary (H. F. 571)	14.06
C. A. Suits (H. F. 571)	28.00
John C. Bradbury (H. F. 513)	47.79

George Judisch (H. F. 486).....	70.00
George S. Banta, traveling expense in attendance at conference.....	23.79
A. V. Brady, traveling expense in attendance at conference.....	29.79
J. D. Buser, traveling expense in attendance at funeral of Senator D. C. Chase	20.06
F. C. Gilchrist, traveling expense in attendance at funeral of Senator D. C. Chase.....	8.65
J. R. Price, traveling expense in attendance at funeral of Senator D. C. Chase	9.85
William Schmedika, mileage	6.30
L. W. Ainsworth, postage, telephone, telegraph, badges and mis- cellaneous items	67.66
J. H. McFarland, 8 days as doorkeeper.....	32.00
G. L. Steinhilber, extra salary as file clerk.....	100.00
Paul Sims, extra salary as bill clerk.....	100.00
John Hammill, Lieutenant Governor, as President of the Senate.	2,000.00
J. H. Anderson, as Speaker of the House of Representatives (ad- ditional to his regular salary as a member).....	1,000.00

Sec. 2. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated the sum of eight hundred dollars (\$800) or so much thereof as may be necessary to pay the usual fees of chaplains of the Senate and the House of Representatives of the Fortieth General Assembly, warrants therefor to be drawn in favor of the persons entitled thereto, who shall be determined by the auditor of state upon the certified statements of the President of the Senate and the Speaker of the House.

Sec. 3. There is hereby appropriated the sum of sixty-eight dollars and seventy four cents (\$68.74) out of the fish and game protection fund in full payment of the claim of C. M. Roggensack for services rendered the state under the direction of the fish and game department during the years 1917, 1918, and 1920 (S. F. 707).

Sec. 4. There is hereby appropriated the sum of one hundred fifty-six dollars and thirty-seven cents (\$157.37) out of the fund of the board of engineering examiners in full payment of the following claims:
Koch Bros. (S. F. 708).....\$93.39
L. M. Martin (S. F. 719)..... 62.98

Sec. 5. There is hereby appropriated the sum of one hundred sixty-five dollars (\$165.00) out of the fund of the board of dental examiners in full payment of the following claim:
Dr. C. B. Miller (H. F. 521).....\$165.00

Sec. 6. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Des Moines Register and the Des Moines Capital, newspapers published in Des Moines, Iowa.

The amendment was adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Abben	Dutcher	Nelson	Slosson
Adams	Ethell	Newberry	Smith
Baird	Goodwin	Olson	Snook
Banta	Hale	Perkins	Stoddard
Bowman	Hartman	Rees	Thurston
Brookhart	Haskell	Romkey	Tuck
Brookins	Holdoegel	Schmedika	White
Browne	Horchem	Scott	Wichman
Caldwell	Johnston	Shaff	
Campbell	Mead	Shinn	

Nays, none.

Absent or not voting, 12.

Bergman	Darting	Kimberly	Price
Buser	Fulton	McIntosh	Reed
Cessna	Gilchrist	Mantz	Shane

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard, Senate File No. 722, a bill for an act to amend section two thousand five hundred seventy-five-a forty-seven (2575-a47), supplement to the code, 1913 (C. C. 2425), and two thousand five hundred seventy-five-a fifty-two (2575a-52), supplemental supplement to the code, 1915 (C. C. 2430), relating to the duties of the state entomologist, the quarantine of plant diseases, the eradication of harmful plants, and making an appropriation therefor, a committee bill, was taken up and considered.

The bill was read for information.

Senator Brookins moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Abben	Fulton	Newberry	Slosson
Baird	Goodwin	Olson	Snook
Banta	Hartman	Perkins	Stoddard
Brookhart	Haskeli	Reed	Tuck
Brookins	Holdoegel	Romkey	White
Caldwell	Horchem	Schmedika	Wichman
Campbell	Johnston	Scott	
Darting	Kimberly	Shaff	
Dutcher	Nelson	Shinn	

Nays, none.

Absent or not voting, 17.

Adams	Cessna	Mantz	Smith
Bergman	Ethell	Mead	Thurston
Bowman	Gilchrist	Price	
Browne	Hale	Rees	
Buser	McIntosh	Shane	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Brookins moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard, House File No. 791, a bill for an act to amend section three (3), chapter three hundred sixty-eight (368), acts of the Thirty-eighth General Assembly (C. C. 1186), relating to the annual appropriation for state parks, 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 figures "\$25,000.00" appearing in the last line thereof and inserting in lieu thereof the figures "\$75,000.00".

Senator Tuck offered the following amendment and moved its adoption:

Amend by striking out the figures "\$75,000.00" and inserting in lieu thereof the figures "\$50,00.00".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 1.

Tuck

Nays, 37.

Abben	Banta	Brookins	Darting
Adams	Bowman	Caldwell	Dutcher
Baird	Brookhart	Campbell	Fulton

Gilchrist	Horchem	Perkins	Shaff
Goodwin	Kimberly	Price	Slosson
Hale	Mead	Reed	Smith
Hartman	Nelson	Rees	Snook
Haskell	Newberry	Schmedika	Stoddard
Holdoegel	Olson	Scott	White
			Wichman

Absent or not voting, 12.

Bergman	Cessna	McIntosh	Shane
Browne	Ethell	Mantz	Shinn
Buser	Johnston	Romkey	Thurston

The amendment was lost.

The bill was read for information.

Senator Haskell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Dutcher	Kimberly	Shaff
Adams	Fulton	Mead	Slosson
Baird	Gilchrist	Newberry	Smith
Banta	Goodwin	Olson	Snook
Bowman	Hale	Perkins	Stoddard
Brookhart	Hartman	Price	White
Brookins	Haskell	Reed	Wichman
Caldwell	Holdoegel	Rees	
Campbell	Horchem	Scott	

Nays, 5.

Johnston	Schmedika	Thurston	Tuck
Romkey			

Absent or not voting, 11.

Bergman	Cessna	McIntosh	Shane
Browne	Darting	Mantz	Shinn
Buser	Ethell	Nelson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Newberry moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Shaff moved that action on Senate File No. 713 be deferred until 11 a. m. Monday and that it retain its place on the calendar.

Senator Stoddard invoked rule 8.

On the question "Shall the motion prevail?" the vote was:

Ayes, 31.

Abben	Dutcher	Holdoegel	Rees
Adams	Ethell	Horchem	Scott
Baird	Fulton	Kimberly	Shaff
Banta	Gilchrist	Nelson	Shinn
Brookhart	Goodwin	Newberry	Slosson
Brookins	Hale	Olson	Smith
Caldwell	Hartman	Perkins	Stoddard
Campbell	Haskell	Reed	

Nays, 9.

Bowman	Mead	Romkey	Snook
Buser	Price	Schmedika	Tuck
Johnston			

Absent or not voting, 10.

Bergman	Darting	Shane	White
Browne	McIntosh	Thurston	Wichman
Cessna	Mantz		

The motion prevailed.

CALL OF THE SENATE ON SENATE FILES 713 AND 714

MR. PRESIDENT: We ask a call of the Senate on Senate Files 713 and 714.

P. C. HOLDOEGEL	GEO. B. PERKINS
M. L. BOWMAN	BEN C. ABBEN, JR.
C. W. REED	C. M. DUTCHER
B. J. HORCHEM	B. M. STODDARD
W. S. BAIRD	R. P. SCOTT
C. J. FULTON	CHAS. OLSON
B. W. NEWBERRY	GEORGE S. BANTA
J. O. SHAFF	

Senator Tuck moved that action on Senate File No. 604 be deferred until Monday and that it retain its place on the calendar.

Senator Price moved as a substitute that Senate File No. 604 be made a special order for Monday, at 10 a. m.

The substitution was made.

The motion prevailed.

Senator Price moved that the calendar be called and that

any bill on which there might be a contest, be deferred and be permitted to retain its place on the calendar, and only bills on which there is no contest be considered.

The motion prevailed.

On motion of Senator Mead Senate File No. 723, a bill for an act to prohibit persons from shooting upon or from public highways, and to provide penalties therefor, a committee bill, was taken up and considered.

The bill was read for information.

Senator Mead moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Abben	Fulton	Mead	Schmedika
Adams	Goodwin	Newberry	Scott
Baird	Hartman	Olson	Shaff
Banta	Haskell	Perkins	Slosson
Brookhart	Holdoegel	Price	Smith
Caldwell	Horchem	Reed	Snook
Campbell	Johnston	Rees	Tuck
Darting	Kimberly	Romkey	Wichman

Nays, 1.

Gilchrist

Absent or not voting, 17.

Bergman	Cessna	McIntosh	Shinn
Bowman	Dutcher	Mantz	Stoddard
Brookins	Ethell	Nelson	Thurston
Browne	Hale	Shane	White
Buser			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Slosson, House File No. 813, a bill for an act authorizing the consolidated independent school district of Carpenter, in the counties of Worth and Mitchell, to issue its warrants in excess of the funds available, and authorizing a tax levy to pay the same, was substituted for Senate File No. 731, taken up and considered.

The bill was read for information.

Senator Slosson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Darting	Johnston	Romkey
Adams	Ethell	Kimberly	Schmedika
Baird	Fulton	Mead	Scott
Banta	Gilchrist	Nelson	Shaff
Brookhart	Goodwin	Newberry	Shinn
Brookins	Hale	Olson	Slosson
Browne	Hartman	Perkins	Smith
Buser	Haskell	Price	Snook
Caldwell	Holdoegel	Reed	Tuck
Campbell	Horchem	Rees	

Nays, none.

Absent or not voting, 11.

Bergman	Dutcher	Shane	White
Bowman	McIntosh	Stoddard	Wichman
Cessna	Mantz	Thurston	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent, Senator Slosson withdrew Senate File No. 731 from further consideration.

On motion of Senator Rees, House File No. 818, a bill for an act providing for the appointment by the Governor of a commission on land titles, to serve without compensation, except actual necessary traveling expenses, and defining its duties, was substituted for Senate File No. 738, taken up and considered.

The bill was read for information.

Senator Rees moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Abben	Fulton	Johnston	Rees
Adams	Gilchrist	Kimberly	Romkey
Baird	Goodwin	Mead	Schmedika
Banta	Hale	Newberry	Scott
Bowman	Hartman	Olson	Shinn
Brookhart	Haskell	Perkins	Slosson
Brookins	Holdoegel	Price	Snook
Campbell	Horchem	Reed	Tuck
Darting			

Nays, none.

Absent or not voting, 17.

Bergman	Dutcher	Nelson	Stoddard
Browne	Ethell	Shaff	Thurston
Buser	McIntosh	Shane	White
Caldwell	Mantz	Smith	Wichman
Cessna			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent Senator Rees withdrew Senate File No. 738 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. 540, a bill for an act compensating Carl F. Schatz and Laura Schatz, on account of the death of their son and making an appropriation to pay the same.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 316, a bill for an act providing an appropriation to complete the fireproofing and preservation of the Old Capitol at Iowa City, Iowa.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 398, a bill for an act making an appropriation to reimburse Jones county, Iowa, on prison breach cases tried between the dates of December 3, 1920, and October 2, 1922.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 468, a bill for an act providing funds to care for drainage assessments in connection with the drainage of Goose Lake, Greene county, Iowa.

Also, that the House has passed the following bill in which the concurrence of the House was asked: Senate File No. 566, a bill for an act making an appropriation to reimburse George W. Metcalf for printing done by Mr. Metcalf on order of the motor transport committee of the state council of defense.

Also, that the House has passed the following bill in which the con-

currence of the House was asked: Senate File No. 699, a bill for an act providing for the creation of an outlet to the ocean for the products of the Mississippi Valley by way of the Great Lakes and the St. Lawrence river.

Also, that the House has amended and failed to pass the following bill in which the concurrence of the House was asked:

Senate File No. 375, a bill for an act to require the auditor of state to examine and audit the accounts and business affairs of the board of agriculture, the board of education, board of control and the highway commission, and all departments and institutions under their control, and to authorize the executive council to direct and control the manner of keeping accounts.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 827, a bill for an act relating to renewals of charters for private corporations.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked: House File No. 828, a bill for an act providing that the board of directors of independent and city or town school districts may in certain cases transfer any excess in the general fund to the school house fund.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked: House File No. 809, a bill for an act to authorize the executive council to exchange certain lands belonging to the state for other lands located in Monona county, Iowa, for park purposes.

Also, that the House has passed the following bill, in which the concurrence of the Senate is asked: House File No. 651, a bill for an act relating to exemption from taxation of property of soldiers, sailors, marines, nurses, etc.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked: Senate File No. 423, a bill for an act to compensate Ross Seward for injuries received while an inmate of the state penitentiary at Fort Madison, Iowa.

HOUSE MESSAGES CONSIDERED

House File No. 651, a bill for an act to amend section four (4), chapter one hundred forty-four (144), acts of the Thirty-ninth General Assembly, (S. C. C. 4482), relating to exemption from taxation of property of soldiers, sailors, marines, nurses, widows and children of soldiers, sailors and marines.

Read first and second time and referred to sifting committee.

House File No. 827, a bill for an act to amend the law as it appears in section sixteen hundred eighteen one-a (1618-1a), supplemental supplement to the code, 1915 (C. C. 6572), relating to renewals of charters for private corporations.

Read first and second time and referred to sifting committee.

House File No. 828, a bill for an act providing that the board of directors of independent and city or town school districts may in certain cases transfer any excess in the general fund to the school house fund.

Read first and second time and referred to sifting committee.

House File No. 809, a bill for an act to authorize the executive council to exchange certain lands belonging to the state for other lands located in Monona county, Iowa, for park purposes.

Read first and second time and referred to sifting committee.

House File No. 388, a bill for an act to provide an appropriation of one hundred fifty dollars (\$150.00) to indemnify John S. Young for loss and damage incurred resulting from colliding with a truck belonging to the capitol extension department of the State of Iowa, occurring on July 20th, 1922, at East Ninth street and Court avenue, city of Des Moines.

Read first and second time and referred to committee on appropriations.

THIRD READING OF BILLS

On motion of Senator Haskell Senate File No. 740, a bill for an act to amend section eight hundred seventy-nine-r (879-r), supplemental supplement to the code, 1913, relating to the power of cities to provide playgrounds, and to authorize the equipment and maintenance of playgrounds and recreation centers on lands and in buildings owned by the city, a committee bill, was taken up and considered.

The bill was read for information.

Senator Haskell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Abben	Fulton	Kimberly	Scott
Adams	Ethell	Nelson	Shaff
Banta	Gilchrist	Newberry	Shinn
Bowman	Goodwin	Olson	Slosson
Brookins	Hale	Perkins	Snook
Browne	Haskell	Price	Tuck
Caldwell	Holdoegel	Reed	
Campbell	Horchem	Romkey	
Darting	Johnston	Schmedika	

Nays, none.

Absent or not voting, 17.

Baird	Dutcher	Rees	White
Bergman	Hartman	Shane	Wichman
Brookhart	McIntosh	Smith	
Buser	Mantz	Stoddard	
Cessna	Mead	Thurston	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bowman moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Goodwin, House File No. 636, a bill for an act to legalize the acts and proceedings in relation to drainage district number twenty-eight (28), Polk county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Abben	Caldwell	Holdoegel	Reed
Adams	Campbell	Horchem	Schmedika
Baird	Ethell	Kimberly	Scott
Banta	Fulton	Mead	Shaff
Bowman	Gilchrist	Nelson	Shinn
Brookins	Goodwin	Newberry	Smith
Browne	Hale	Olson	Snook
Buser	Hartman	Perkins	

Nays, none.

Absent or not voting, 19.

Bergman	Haskell	Rees	Thurston
Brookhart	Johnston	Romkey	Tuck
Cessna	McIntosh	Shane	White
Darting	Mantz	Slosson	Wichman
Dutcher	Price	Stoddard	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Abben Senate File No. 725, a bill for an act to authorize and empower the city council of Rock Rapids, Iowa, to transfer certain funds from the sewers fund and improvement fund of the city of Rock Rapids, Iowa, to the general fund of said city, a committee bill, was taken up and considered.

The bill was read for information.

Senator Abben moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Abben	Fulton	Kimberly	Romkey
Adams	Gilchrist	Mead	Schmedika
Banta	Goodwin	Nelson	Shaff
Bowman	Hale	Newberry	Shinn
Buser	Hartman	Olson	Smith
Caldwell	Haskell	Perkins	Snook
Campbell	Holdoegel	Price	
Ethell	Horchem	Reed	

Nays, none.

Absent or not voting, 20.

Baird	Cessna	Mantz	Stoddard
Bergman	Darting	Rees	Thurston
Brookhart	Dutcher	Scott	Tuck
Brookins	Johnston	Shane	White
Browne	McIntosh	Slosson	Wichman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Abben moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Caldwell, House File No. 810, a bill for an act to legalize the transfer of funds by the city council of

Oskaloosa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Caldwell moved that 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	Gilchrist	Mead	Schmedika
Banta	Goodwin	Nelson	Scott
Bowman	Hale	Newberry	Shaff
Buser	Hartman	Olson	Shinn
Caldwell	Haskell	Perkins	Smith
Campbell	Holdoegel	Price	Snook
Ethell	Horchem	Reed	
Fulton	Kimberly	Romkey	

Nays, none.

Absent or not voting, 20.

Abben	Browne	McIntosh	Stoddard
Paired	Cessna	Mantz	Thurston
Ferguson	Darting	Rees	Tuck
Brookhart	Dutcher	Shane	White
Brookins	Johnston	Slosson	Wichman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Caldwell moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Banta, House File No. 583, a bill for an act to legalize ordinances of the city of Independence, Buchanan county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Banta moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Adams	Campbell	Goodwin	Holdoegel
Banta	Ethell	Hale	Horchem
Bowman	Fulton	Hartman	Kimberly
Buser	Gilchrist	Haskell	Mead

Nelson	Price	Scott	Snook
Newberry	Reed	Shaff	
Olson	Romkey	Shinn	
Perkins	Schmedika	Smith	

Nays, none.

Absent or not voting, 21.

Abben	Caldwell	Mantz	Tuck
Baird	Cessna	Rees	White
Bergman	Darting	Shane	Wichman
Brookhart	Dutcher	Slosson	
Brookins	Johnston	Stoddard	
Browne	McIntosh	Thurston	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Banta moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Adams Senate File No. 746, a bill for an act to legalize warrants issued by the board of supervisors of Dickinson county, Iowa, and to authorize said board to issue bonds to fund said warrants, a committee bill, was taken up and considered.

The bill was read for information.

Senator Adams moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Adams	Gilchrist	Nelson	Scott
Banta	Goodwin	Newberry	Shaff
Bowman	Hale	Olson	Shinn
Buser	Hartman	Perkins	Smith
Caldwell	Haskell	Price	Snook
Campbell	Holdoegel	Reed	
Ethell	Horchem	Romkey	
Fulton	Mead	Schmedika	

Nays, none.

Absent or not voting, 21.

Abben	Cessna	Mantz	Tuck
Baird	Darting	Rees	White
Bergman	Dutcher	Shane	Wichman
Brookins	Johnston	Slosson	
Brookhart	Kimberly	Stoddard	
Browne	McIntosh	Thurston	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Adams moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Price, Senate File No. 744, a bill for an act to legalize certain warrants issued by the board of supervisors of Monroe county, Iowa, a committee bill, was taken up and considered.

The bill was read for information.

Senator Price moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Adams	Gilchrist	Nelson	Schmedika
Banta	Goodwin	Newberry	Scott
Buser	Hale	Olson	Shaff
Caldwell	Hartman	Perkins	Shinn
Campbell	Holdoege	Price	Smith
Ethell	Horchem	Reed	Snook
Fulton	Mead	Romkey	

Nays, none.

Absent or not voting 23.

Abben	Browne	Kimberly	Stoddard
Baird	Cessna	McIntosh	Thurston
Bergman	Darting	Mantz	Tuck
Bowman	Dutcher	Rees	White
Brookhart	Haskell	Shane	Wichman
Brookins	Johnston	Slosson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Price moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Campbell House File No. 630, a bill for an act to amend the law as it appears in section one (1) of chapter three hundred eighty-eight (388), acts of the Thirty-seventh General Assembly (C.C. 6551), relating to absence of acknowledgments or defective acknowledgments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Campbell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Adams	Gilchrist	Nelson	Schmetlika
Banta	Goodwin	Newberry	Scott
Bowman	Hale	Olson	Shaff
Caldwell	Hartman	Perkins	Shinn
Campbell	Holdoegel	Price	Smith
Ethell	Horchem	Reed	Snook
Fulton	Mead	Romkey.	

Nays, none.

Absent or not voting 23.

Abben	Buser	Kimberly	Thurston
Baird	Cessna	McIntosh	Stoddard
Bergman	Darting	Mantz	Tuck
Brookhart	Dutcher	Rees	White
Brookins	Haskell	Shane	Wichman
Browne	Johnston	Slosson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Campbell moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Newberry, House File No. 295, a bill for an act to amend section twenty-eight hundred four-b (2804-b), supplement to the code, 1913 (C. C. 2628), relating to services for raising the flag at school houses, 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 reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 26.

Adams	Goodwin	Newberry	Scott
Banta	Hale	Olson	Shaff
Caldwell	Hartman	Perkins	Shinn
Campbell	Holdoegel	Price	Smith
Ethell	Horchem	Reed	Snook
Fulton	Mead	Romkey	
Gilchrist	Nelson	Schmedika	

Nays, none.

Absent or not voting, 24.

Abben	Browne	Johnston	Slosson
Baird	Buser	Kimberly	Stoddard
Bergman	Cessna	McIntosh	Thurston
Bowman	Darting	Mantz	Tuck
Brookhart	Dutcher	Rees	White
Brookins	Haskell	Shane	Wichman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Newberry moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

CONCURRENT RESOLUTION

Senator Dutcher offered the following resolution:

Whereas, It is at this time apparent that an extra session of the legislature will be necessary to complete the work of code revision, and

Whereas, The work of such extra session can be materially hastened by providing for the organization of the work in advance, and

Whereas, It is the desire of the members of the Fortieth General Assembly that the work of the extra session be completed as soon as possible, and

Whereas, Prior to the present session of the legislature approximately one hundred twenty-five thousand dollars (\$125,000.00) was expended in the preparation of the work of code revision, and the said expenditure will be wholly lost unless such an extra session is called at this time for the completion of the work of code revision,

Now, Therefore, Be It Resolved by the Members of the House, the Senate concurring:

(1) That to avoid all unnecessary delay, the present organization of the House and Senate be continued so far as possible for the extra session, and that all standing committees of the House and Senate as the same are constituted at the time of adjournment, shall be the standing committees for the extra session.

(2) That all of the code commissioner's bills that have been introduced in the Fortieth General Assembly and not passed and are now assigned to the regular standing committees of the House and Senate and by the chairman of such standing committees assigned to sub-committees, remain in the hands of such sub-committees for further consideration and preparation of their reports until the special session shall convene in order that such bills may be placed on the calendar immediately upon the reconvening of the General Assembly in extra session. Provided, however, that such code revision bills as have been affected by legislation of the Fortieth General Assembly may be by such sub-committees returned to the code editor for the preparation of such amendments or new bills as may by the code commission be deemed necessary.

Provided, Further, That such bills that have been introduced in the Fortieth General Assembly as code revision bills and numbered from one (1) to two hundred sixty-two (262), inclusive, shall be considered at the special session without the necessity of reintroducing such bills or any further reference of same to standing committees.

(3) That the President of the Senate and the Speaker of the House are hereby authorized to appoint a committee on patronage, consisting of five (5) members from each House, to provide for the services of the secretary of the Senate and the chief clerk of the House for such time preceding the special session as may be necessary to arrange for the work of the extraordinary session, and for placing the voting machine in readiness for the use of the House, and the making of such other preparations as will expedite the organization of such session, and the employment of the clerical help and other employes that may be necessary.

Laid over under the rules.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 325, 338, 372, 381, 394, 409, 443, 506, 546, 549, 618, 631, 637, 666 and 671.

F. C. GILCHRIST, *Chairman Senate Committee.*
C. F. LETTS, *Chairman House Committee.*

BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor aannouncing that he had, on April 12th, signed the following bills: Senate Files Nos. 5, 67, 95, 143 and 742.

The Journal of April 13th was corrected and approved.

On the motion of Senator Snook the Senate adjourned until 9 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 16, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. E. D. Calkins, pastor of the Congregational church, of Britt, Iowa.

On motion of Senator Mead rule 33 was suspended for the day.

In honor of the sixty-fourth anniversary of his birth, Senator Wichman was presented with a beautiful bouquet of roses by the members of the Senate.

PETITIONS AND MEMORIALS

Senator Ethell presented petitions from miners and wives of miners of Centerville endorsing House File 395 relative to wash houses at mines.

Referred to sifting committee.

Senator Mantz presented petitions from miners and wives of miners of Moran endorsing House File 395 relative to wash houses at mines.

Referred to sifting committee.

INTRODUCTION OF BILLS

Senate File No. 754, by committee on retrenchment and reform, a bill for an act fixing the number and compensation of employes in the state departments at the seat of government, and the compensation of certain officers.

Read first and second times and placed on calendar.

Senate File No. 755, by sifting committee, a bill for an act to provide more space for the engineering department of the Iowa state college without making an appropriation therefor, to provide offices for the state highway commission outside of the college

buildings, and to provide for the acceptance of real estate donated by the citizens of Ames.

Read first and second times and placed on calendar.

Senate File No. 756, by committee on appropriations, a bill for an act making appropriation of funds to enable the railroad commission to carry out the provisions of Senate File three hundred sixty-one (361) as amended by the Fortieth General Assembly.

Read first and second times and placed on calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 613, a bill for an act relating to vocational rehabilitation education.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 669, a bill for an act relating to trade practice known as "Pittsburgh Plus" and other similar trade practices.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 644, a bill for an act to create a lien on motor vehicles and on repair parts and accessories furnished for such vehicles, to declare the rights thereunder and to provide the procedure for the enforcement of such lien.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 778, a bill for an act relating to the sale of merchandise in bulk.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 801, a bill for an act relating to the construction, improvement and maintenance of highways within towns on the primary road system.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 712, a bill for an act relating to insurance other than life.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 765, a bill for an act relating to the expenditure of moneys for cemetery purposes.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 826, a bill for an act to legalize warrants issued by the board of supervisors of Dickinson county, Iowa, and to authorize said board to issue bonds to fund said warrants.

Also, that the House has concurred in Senate amendments to House File No. 791, a bill for an act relating to the appropriation for the purchase of state parks.

Also, that the House has concurred in Senate amendments to House File No. 268, a bill for an act relating to the primary road system.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 718, a bill for an act relating to use of rooms in the state capitol building and to the furnishing of supplies by the executive council.

Also, that the Speaker appoints as conference committee, on the part of the House, Representatives Harrison, Clark, Ulstad and Williams, on Senate File 458, a bill for an act to make 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.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 614, a bill for an act relating to vocational education, and providing an appropriation therefor.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 446, a bill for an act to compensate George A. Gardner for injuries received while assisting in showing a dairy herd of the Mount Pleasant state hospital at Jefferson county fair, etc.

Also, 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 providing an appropriation to indemnify Joe Banoch for the loss of three fingers sustained while engaged in performing his usual and ordinary duties at the state reformatory at Anamosa.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 701, a bill for an act relating to the disposition of stolen, embezzled or abandoned motor vehicles not claimed by the owner thereof.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 644, a bill for an act to create a lien on motor vehicles and on repair parts and accessories furnished for such vehicles, to declare the rights thereunder and to provide the procedure for the enforcement of such lien.

Read first and second time and referred to sifting committee.

House File No. 712, a bill for an act to amend section 1709, supplement to the code, 1913, as amended by chapter 372, laws of the Thirty-eighth General Assembly (C. C. 5627), relating to and providing for certain regulations of all kinds of insurance companies authorized to transact business other than life in the state of Iowa.

Read first and second time and referred to sifting committee.

House File No. 765, a bill for an act to amend chapter 89, acts of the Thirty-ninth General Assembly, relating to the expenditure of moneys for cemetery purposes. .

Read first and second time and referred to sifting committee.

House File No. 778, a bill for an act to amend section 1 of chapter 64, acts of the 37th General Assembly (C. C. 6333), in relation to sales of merchandise in bulk.

Read first and second time and referred to sifting committee.

House File No. 801, a bill for an act to amend section 35, chapter 237, laws of the 38th General Assembly (C. C. 2943), as amended by chapter 56, laws of the 39th General Assembly, relating to the construction, improvement and maintenance of highways within the towns on the primary road system.

Read first and second time and referred to sifting committee.

House File No. 826, a bill for an act to legalize warrants issued by the board of supervisors of Dickinson county, Iowa, and to authorize said board to issue bonds to fund said warrants.

Read first and second time and referred to sifting committee.

REPORT OF SIFTING COMMITTEE

April 16, 1923.

MR. PRESIDENT: Your sifting committee wish to report the following bills on the calendar: House Files Nos. 717, 382, 827, 599, 828, 690, 433, 495, and Senate Files Nos. 677 and 757.

GEO. B. PERKINS, *Chairman*.

RESOLUTION

Senator Stoddard offered the following resolution and moved its adoption:

Be It Resolved by the Senate of the Fortieth General Assembly of the State of Iowa, That the thanks of this body be extended to the doorkeep-

ers 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 streams 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.

The resolution was adopted.

CONCURRENT RESOLUTION

The following House resolution was substituted for the Senate concurrent resolution by Dutcher:

Whereas, It is at this time apparent that an extraordinary session of the legislature will be necessary to complete the code revision, and

Whereas, The work of such extraordinary session can be materially hastened by providing for an organization in advance, and

Whereas, It is the desire of the members of the Fortieth General Assembly that the extraordinary session be completed as soon as possible, and

Whereas, Prior to the present session of the legislature approximately one hundred twenty-five thousand dollars (\$125,000.00) was expended in the preparation of the work of code revision, and the said expenditure will be wholly lost unless such an extra session is called at this time for the completion of code revision.

Now, Therefore, Be It Resolved by the House, the Senate concurring:

(1) That to avoid all unnecessary delay, the present organization of the House and Senate be continued so far as possible for the extra session, and that all standing committees of the House and Senate as the same are constituted at the time of adjournment, shall be the standing committees for the extra session.

(2) That all of the code commissioner's bills that have been introduced in the Fortieth General Assembly and not passed and are now assigned to the regular standing committees of the House and Senate and by the chairman of such standing committees assigned to sub-committees, remain in the hands of such sub-committees for further consideration and preparation of their reports until the special session shall convene in order that such bills may be placed on the calendar immediately upon the reconvening of the General Assembly in extra session. Provided, however, that such code revision bills as have been affected by legislation of the Fortieth General Assembly may be by such sub-committees returned to the code editor for the preparation of such amendments or new bills as may by the code commission be deemed necessary.

Provided, Further, That such bills now pending as have been introduced in the Fortieth General Assembly as code revision bills and numbered from one (1) to two hundred sixty-two (262), both inclusive, shall be considered at the special session without the necessity of reintroducing such bills or any further reference of same to standing committees.

(3) That the committee on retrenchment and reform are hereby authorized to provide for the services of the secretary of the Senate and the chief clerk of the House for such time preceding the special session as may be necessary to arrange for the work of the extraordinary session, and for placing the voting machine in readiness for the use of the House, and the making of such other preparations as will expedite the organization of such session, and the employment of the clerical help and other employes that may be necessary.

Senator Dutcher invoked rule 8.

On the question "Shall the Senate concur?" the vote was:

Ayes, 30.

Abben	Darting	Mantz	Shane
Adams	Dutcher	Mead	Slosson
Baird	Ethell	Newberry	Snook
Banta	Fulton	Perkins	Stoddard
Bergman	Gilchrist	Price	White
Brookins	Goodwin	Rees	Wichman
Caldwell	Hale	Scott	
Cessna	Holdoegel	Shaff	

Nays, 12.

Browne	Johnston	Romkey	Thurston
Buser	McIntosh	Schmedika	Tuck
Campbell	Nelson	Shinn	
Hartman			

Absent or not voting, 8.

Bowman	Haskell	Kimberly	Reed
Brookhart	Horchem	Olson	Smith

The resolution having received a constitutional majority was declared to have been concurred in by the Senate.

Senator Price moved that the vote by which the Senate concurred in the resolution be reconsidered.

Senator Holdoegel moved that the motion to reconsider be laid on the table.

Senator Price asked for a roll call.

Senator Price raised the point of order that the matter was neither debatable nor open to questions.

The President held the point well taken, also that Senator Price's remarks were out of order.

On the question "Shall the motion be laid on the table?" the vote was:

Ayes, 25.

Adams	Dutcher	Haskell	Rees
Baird	Ethell	Holdoegel	Scott
Banta	Fulton	Mantz	Shaff
Bergman	Gilchrist	Mead	Shane
Brookins	Goodwin	Newberry	Slosson
Caldwell	Hale	Perkins	Stoddard
			Wichman

Nays, 14.

Browne	McIntosh	Schmedika	Tuck
Buser	Nelson	Shinn	White
Campbell	Price	Snook	
Johnston	Romkey	Thurston	

Absent or not voting, 11.

Abben	Cessna	Horchem	Reed
Bowman	Darting	Kimberly	Smith
Brookhart	Hartman	Olson	

The motion prevailed and the motion to reconsider was laid on the table.

Senator Cessna called up for consideration the concurrent resolution found on page 1452 of the Senate Journal, relating to filing statements and moved that the Senate concur in the following House amendments:

Amend concurrent resolution by striking out the word "November" in line four (4) and inserting in lieu thereof the word "December".

Also by striking out the words "Itemized and detailed" in line four (4) and insert in lieu thereof the word "summarized".

On the question "Shall the Senate concur in the House amendments?" the vote was:

Ayes, 38.

Banta	Fulton	Mead	Shinn
Bergman	Gilchrist	Nelson	Slosson
Browne	Goodwin	Newberry	Snook
Buser	Hale	Perkins	Stoddard
Caldwell	Hartman	Price	Thurston
Campbell	Haskell	Romkey	Tuck
Cessna	Holdoegel	Schmedika	White
Darting	Johnston	Scott	Wichman
Dutcher	McIntosh	Shaff	
Ethell	Mantz	Shane	

Nays, none.

Absent or not voting, 12.

Abben	Bowman	Horchem	Smith
Adams	Brookhart	Kimberly	Reed
Baird	Brookins	Olson	Rees

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Goodwin called up for consideration Senate File No. 423 amended by the House and moved that the Senate concur in the following amendments:

Change the period (.) after the word "Seward" in the last line of section one (1) to a comma (,) and add the words "or the board of parole may pay the entire amount, or any part thereof remaining, to said Ross Seward at any time in their discretion".

On the question "Shall the Senate concur?" the vote was:

Ayes, 36.

Baird	Gilchrist	Mead	Shane
Banta	Goodwin	Newberry	Shinn
Brookins	Hale	Olson	Slosson
Browne	Hartman	Perkins	Smith
Caldwell	Haskell	Price	Snook
Campbell	Holdoegel	Romkey	Stoddard
Dutcher	Johnston	Schmedika	Thurston
Ethell	Kimberly	Scott	White
Fulton	McIntosh	Shaff	Wichman

Nays, 5.

Bergman	Cessna	Mantz	Nelson
Buser			

Absent or not voting, 9.

Abben	Brookhart	Horchem	Rees
Adams	Darting	Reed	Tuck
Bowman			

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Goodwin moved that the vote by which the Senate concurred be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Dutcher, Senate File No. 753, a bill for an act to repeal chapter three hundred thirty-three (333), acts of the Thirty-ninth General Assembly and to enact a substitute therefor, relating to the preparation, printing and distribution of a supplement to the compiled code and of amendments and revisions of code commissioners' bills, and to provide for the expense thereof, to make an appropriation therefor, and to fix and prescribe the duties of the committee on retrenchment and reform in relation thereto, a committee bill, was taken up and considered.

Senator Dutcher offered the following amendment and moved its adoption:

Amend by striking out the following language at the commencement of section three (3) thereof, to-wit: "Upon adjournment of the present session of the Fortieth General Assembly" and inserting in lieu thereof the following, "When and if the Governor shall issue a proclamation convening the General Assembly in an extraordinary session".

The amendment was adopted.

The bill was read for information.

Senator Dutcher moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Baird	Gilchrist	Newberry	Slosson
Brookhart	Goodwin	Olson	Smith
Brookins	Hale	Perkins	Snook
Buser	Hartman	Price	Stoddard
Caldwell	Holdoegel	Rees	Tuck
Campbell	Johnston	Schmedika	White
Cessna	Kimberly	Scott	Wichman
Dutcher	Mantz	Shaff	
Ethell	Mead	Shane	
Fulton	Nelson	Shinn	

Nays, 1.

Browne

Absent or not voting, 12.

Abben	Bergman	Haskell	Reed
Adams	Bowman	Horchem	Romkey
Banta	Darting	McIntosh	Thurston

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Dutcher moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Cessna Senate File No. 712, a bill for an act to amend sections nineteen hundred twenty-k (1920-k) to nineteen hundred twenty-s (1920-s), inclusive, supplement to the code, 1913, (C. C. 5409 to 5416 inclusive), relating to the regulation of certain persons, companies, partnerships, associations, or corporations, a committee bill was taken up and considered.

Senator Cessna moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Baird	Goodwin	Mead	Shane
Banta	Hale	Nelson	Shinn
Bergman	Hartman	Newberry	Slosson
Brookins	Holdoegel	Olson	Smith
Buser	Horchem	Rees	Snook
Campbell	Johnston	Romkey	Stoddard
Cessna	Kimberly	Schmedika	Thurston
Ethell	McIntosh	Scott	White
Gilchrist	Mantz	Shaff	Wichman

Nays, none.

Absent or not voting, 14.

Abben	Browne	Fulton	Reed
Adams	Caldwell	Haskell	Tuck
Bowman	Darting	Perkins	
Brookhart	Dutcher	Price	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Holdoegel Senate File No. 604, a bill for an act relating to the power and duties of counties and county officers; providing for the funding and refunding of indebtedness incurred prior to January 1st, 1924, having been withdrawn from the committee was taken up and considered.

Senator Holdoegel offered the following amendment and moved its adoption:

Amend Senate File 604 by striking out all after the enacting clause. and inserting in lieu thereof the following:

"Section 1. That section one (1) of Senate File number three hundred forty-three (343), laws of the Fortieth General Assembly, be and it is hereby amended by striking from line four (4) of said section the word 'legally'.

Section 2. That section two (2) of Senate File number three hundred forty-three (343), laws of the Fortieth General Assembly, be and it is hereby amended by adding to said section the following:

(5) To expenditures for and on account of county activities authorized by law, during the period beginning July 4, 1923, and ending December 31, 1923, and warrants may be issued therefor.

(6) To expenditures of every kind and character for the funding and refunding of legal obligations or indebtedness of the county by bonding or otherwise as provided by law, which obligations or indebtedness have been originally incurred prior to January first, 1924, on the part of the county."

President Pro Tem Price took the chair at 10:15 a. m.

Senator Buser raised the point of order that Senator Holdoegel's questions were argument.

The President Pro Tem held the point well taken.

President Hammill resumed the chair at 10:40 a. m.

Senator Price offered the following amendment to Senator Holdoegel's amendment and moved its adoption:

Amend the amendment by adding after the word "expenditures" in line 4 of section 2 the words "contracted prior to July 4, 1923".

Also amend by inserting the same words following the word "expenditures" in line 6 of section 2.

Also amend by striking out of the last paragraph the words "which obligations or indebtedness have been originally incurred prior to January first, 1924, on the part of the county".

Also amend by striking from line 2 of paragraph 2 of section 2 the words "during the period beginning July 4, 1923, and ending December 31, 1923, and warrants may be issued therefor".

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 30.

Abben	Cessna	Mantz	Shinn
Banta	Ethell	Mead	Slosson
Bergman	Fulton	Nelson	Smith
Brookhart	Gilchrist	Price	Snook
Brookins	Hale	Rees	Tuck
Browne	Hartman	Romkey	White
Buser	Johnston	Schmedika	
Campbell	McIntosh	Shane	

Nays, 11.

Baird
Bowman
Goodwin

Haskell
Holdoegel
Horchem

Kimberly
Newberry
Perkins

Stoddard
Wichman

Absent or not voting, 9.

Adams
Caldwell
Darting

Dutcher
Olson

Reed
Scott

Shaff
Thurston

The amendment to the amendment was adopted.

Senator Holdoegel offered the following amendment to the amendment and moved its adoption:

Amend by adding as sub-section 7 the following:

"(7) To expeditures from the county funds which are to be refunded from the primary road fund".

The amendment to the amendment was adopted.

The substitute amendment was adopted.

Senator Cessna withdrew his amendment found on page 1453 of the Senate Journal.

The bill was read for information.

Senator Holdoegel moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Abben
Baird
Banta
Bergman
Bowman
Brookhart
Brookins
Caldwell
Campbell
Cessna

Darting
Dutcher
Ethell
Gilchrist
Goodwin
Hale
Haskell
Holdoegel
Horchem
Kimberly

McIntosh
Mantz
Newberry
Olson
Perkins
Price
Rees
Schmedika
Scott
Shaff

Shane
Shinn
Slosson
Smith
Snook
Stoddard
Tuck
Wichman

Nays, none.

Absent or not voting, 12.

Adams
Brown
Buser

Fulton
Hartman
Johnston

Mead
Nelson
Reed

Romkey
Thurston
White

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 all of the title and inserting in lieu thereof the following:

"A bill for an act to amend Senate File No. 343 of the acts of the Fortieth General Assembly, pertaining to expenditures of county funds."

The amendment to the title was adopted and the title as amended was agreed to.

Senator Holdoegel moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Smith the Senate resumed consideration of Senate File No. 713, a bill for an act to repeal the law as it appears in section thirteen hundred ten (1310), thirteen hundred eleven (1311), thirteen hundred twenty-one (1321), thirteen hundred twenty-two (1322), thirteen hundred twenty-two 1a (1322-1a), thirteen hundred twenty-two 2a (1322-2a), thirteen hundred twenty-two 3a (1322-3a), thirteen hundred twenty-two 4a (1322-4a), thirteen hundred twenty-two a (1322-a), and thirteen hundred twenty-six (1326) of the supplement to the code, 1913, (C. C. sec. 4504, 4505, 4509, 4511, 4512, 4516), and section nineteen hundred twenty (1920) of the code, 1897 (C. C. sec. 4516) and to enact substitutes therefor; also to amend the law as it appears in section thirteen hundred twenty-five (1325) of the code (C. C. 4515); all relating to the assessment and taxation of moneys, credits and other forms of intangible property; and providing for the levy of an income and dividend tax on the shares of stock of national, state and savings banks, loan and trust companies, building and loan associations, investment companies, mortgage companies, and other corporations doing a business of a similar kind and character and moneyed capital as defined in section fifty-two hundred nineteen (5219) of the revised statutes of the United States as amended.

Senator Adams offered the following amendment and moved its adoption:

Amend by adding after the word "corporations" in line 3, paragraph 2, of section 2, the following: "including foreign corporations,"; also by adding the same after the word "corporations" in line 3, sub-section 1, of section 2; also by adding the same after the word "corporations" in line 3, paragraph 2, of section 3; also by adding the same after the word "corporations" in line 4, of section 4.

By unanimous consent on the request of Senator Dutcher the words "doing business in Iowa" were inserted after the words "including foreign corporations" in the amendment.

The amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by inserting the following as section nine and renumbering section nine as section ten:

Every owner or other person shall at the time of being assessed furnish to the assessor upon a blank to be supplied by said assessor a verified list of all his obligations evidenced by bonds, notes or other writing, describing the amount thereof, when due, the rate of interest and the name and postoffice address of the payee, provided, however, that no such returns shall be required as to any bond, note or other written evidence payable to a bank, or to a payee who is a non-resident of the state, and no returns shall be made of any such obligation not exceeding one hundred dollars.

It shall be unlawful for any assessor, deputy assessor, treasurer, deputy treasurer, or any other officer or employee of the county or state to divulge information contained in such statements of obligations save and alone in courts of justice or before the board of equalization, or to the party to whom the obligation is owing and then only that part of the list affecting the item under consideration.

Such statements shall be filed with the county treasurer and where the director named lives within the county the amount of such credit shall be added to his assessment unless his assessment roll, when filed, shows that such credit is included in his assessment, and the treasurer shall at once notify such party of the amount added by registered letter mailed to the address given by the person making the statement or to the actual address of the creditor, if known to the treasurer, and shall preserve a copy of the notice mailed in his office, and if such party appears within thirty days and shows to the satisfaction of the treasurer that the amount was included in his assessment, or that he is entitled to an offset of the same by indebtedness as provided by law, such added assessment shall be cancelled; otherwise it shall stand as part of his assessment. The treasurer shall forward to the county treasurer of any other county of this state the name and address of any creditor listed as living in such county, together with the name of the debtor, listing the obligation and the amount of the item, and such treasurer shall list the

same against such creditor as above provided. The creditor shall have the right of appeal from the ruling and decision of the treasurer as is by law provided for appeal in other cases of assessment.

By unanimous consent on request of Senator Brookhart the amendment was amended as follows:

In line 2 of paragraph 3 the word "creditor" was stricken and the word "payee" inserted in lieu thereof; in line 5 of paragraph 3 the word "party" was stricken and the word "payee" inserted; in line 7 of paragraph 3 the word "creditor" was stricken and the word "payee" inserted; in line 8 of paragraph 3 the word "party" was stricken and the word "payee" was inserted; in line 14 of paragraph 3 the word "creditor" was stricken and the word "payee" was inserted; in line 17 of paragraph 3 the word "creditor" in both instances was stricken and the word "payee" inserted.

Senator Brookhart offered the following amendment to the amendment and moved its adoption:

Amend by adding after the word "included" in line 12 of paragraph 3 the words "or should not be included".

The amendment to the amendment was adopted.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 24.

Bowman	Campbell	Mead	Shinn
Brookhart	Cessna	Nelson	Smith
Brookins	Darting	Price	Snook
Browne	Gilchrist	Romkey	Thurston
Buser	Johnston	Schmedika	Tuck
Caldwell	McIntosh	Shane	White

Nays, 26.

Abben	Fulton	Kimberly	Scott
Adams	Goodwin	Mantz	Shaff
Baird	Hale	Newberry	Slosson
Banta	Hartman	Olson	Stoddard
Bergman	Haskell	Perkins	Wichman
Dutcher	Holdoegel	Reed	
Ethell	Horchem	Rees	

Absent or not voting, none.

The amendment was lost.

Senator Shane offered the following amendment and moved its adoption:

Amend by striking out the word and figure "seven (7)" in line 11 of section 1 and inserting in lieu thereof the words and figures "five and one-half (5½)".

Senator Dutcher raised the point of order that this was a subject on which the Senate had voted.

The President held the point well taken.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out of section 3 "affix the assessed value at the same ratio to its value as the assessed value of real estate in the taxing district generally bears to its actual value," and inserting in lieu thereof the following: "Accept the book value as shown by the books of any such bank as the actual assessable value of the shares of stock of any such bank".

Senator Dutcher raised the point of order that Senator Price's remarks did not pertain to his amendment.

The President held the point well taken.

On the question "Shall Senator Price's amendment be adopted?" the vote was:

Ayes, 22.

Bowman	Cessna	Olson	Smith
Brookhart	Ethell	Price	Snook
Brookins	Johnston	Romkey	Thurston
Browne	McIntosh	Schmedika	Tuck
Buser	Mead	Shane	
Caldwell	Nelson	Shinn	

Nays, 28.

Abben	Dutcher	Holdoegel	Rees
Adams	Fulton	Horchem	Scott
Baird	Gilchrist	Kimberly	Shaff
Banta	Goodwin	Mantz	Slosson
Bergman	Hale	Newberry	Stoddard
Campbell	Hartman	Perkins	White
Darting	Haskell	Reed	Wichman

Absent or not voting, none.

The amendment was lost.

By unanimous consent the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

HOUSE AMENDMENTS CONSIDERED

Senator Slosson called up for consideration Senate File No. 701 amended by the House, and moved that the Senate concur in the following amendments:

Amend section one (1) by striking out of line nineteen (19) the word and figures "ten (10)" and substituting in lieu thereof the word and figures "forty (40)".

On the question "Shall the amendments be concurred in?" the vote was:

Ayes, 34.

Adams	Fulton	McIntosh	Schmedika
Baird	Gilchrist	Mantz	Shaff
Banta	Goodwin	Mead	Shinn
Brookins	Hale	Nelson	Slosson
Caldwell	Hartman	Newberry	Snook
Campbell	Haskell	Olson	Tuck
Darting	Horchem	Perkins	White
Dutcher	Johnston	Rees	
Ethell	Kimberly	Romkey	

Nays, none.

Absent or not voting, 16.

Abben	Browne	Price	Smith
Bergman	Buser	Reed	Stoddard
Bowman	Cessna	Scott	Thurston
Brookhart	Holdoegel	Shane	Wichman

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Perkins, House File No. 826, a bill for an act to legalize warrants issued by the board of supervisors of Dickinson county, Iowa, and to authorize said board to issue bonds to fund said warrants. was taken up and considered.

The bill was read for information.

Senator Perkins moved that the rule whereby no bill can be read the second and third time the same day be suspended and that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Darting	Mantz	Schmedika
Adams	Butcher	Mead	Scott
Baird	Ethell	Nelson	Shaff
Banta	Fulton	Newberry	Snook
Bergman	Gilchrist	Olson	Thurston
Brookins	Goodwin	Perkins	White
Buser	Hale	Reed	Wichman
Caldwell	Hartman	Rees	
Campbell	Haskell	Romkey	

Nays, none.

Absent or not voting, 16.

Bowman	Holdoegel	McIntosh	Slosson
Brookhart	Horchem	Price	Smith
Browne	Johnston	Shane	Stoddard
Cessna	Kimberly	Shinn	Tuck

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent Senator Perkins withdrew Senate File No. 736 from further consideration.

On motion of Senator Goodwin, House File No. 827, a bill for an act to amend the law as it appears in section sixteen hundred eighteen one-a (1618-1a), supplemental supplement to the code, 1915 (C. C. 6572), relating to renewals of charters for private corporations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Goodwin offered the following amendment and moved its adoption:

Amend by striking from lines seven (7) and eight (8) the following words and figures "April eighteenth, nineteen hundred twenty-three (1923)" and inserting in lieu thereof "July first, nineteen hundred twenty-three (1923).

The amendment was adopted.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Abben	Fulton	Mead	Scott
Adams	Goodwin	Nelson	Shaff
Baird	Hartman	Newberry	Shinn
Banta	Haskell	Perkins	Slosson
Bowman	Horchem	Price	Tuck
Brookins	Johnston	Reed	White
Caldwell	Kimberly	Rees	
Campbell	McIntosh	Romkey	
Darting	Mantz	Schmedika	

Nays, none.

Absent or not voting, 17.

Bergman	Dutcher	Olson	Thurston
Brookhart	Ethell	Shane	Wichman
Browne	Gilchrist	Smith	
Buser	Hale	Snook	
Cessna	Holdoegel	Stoddard	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Goodwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Tuck House File No. 60, a bill for an act to amend, revise and codify chapter twenty-two (22) of title five (5) of the compiled code of Iowa, relating to certified public accountants, was taken up and considered.

President Pro Tem Price took the chair at 1:50 p. m.

The bill was read for information.

Senator Tuck moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Dutcher	Mead	Shinn
Adams	Ethell	Nelson	Slosson
Baird	Fulton	Newberry	Smith
Banta	Goodwin	Olson	Snook
Bergman	Haskell	Price	Thurston
Browne	Holdoegel	Romkey	Tuck
Caldwell	Kimberly	Schmedika	White
Campbell	McIntosh	Scott	
Cessna	Mantz	Shaff	

Nays, none.

Absent or not voting, 16.

Bowman	Darting	Horchem	Rees
Brookhart	Gilchrist	Johnston	Shane
Brookins	Hale	Perkins	Stoddard
Buser	Hartman	Reed	Wichman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Tuck moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent Senator Tuck withdrew Senate File No. 60 from further consideration.

On motion of Senator Olson House File No. 807, a bill for an act to legalize the official acts and proceedings of the mayors, town councils, town treasurers and assessors of the incorporated town of McCallsburg, Iowa, elected in each of the years 1911, 1913, 1915, 1917, 1919 and 1921, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Olson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Campbell	Johnston	Romkey
Adams	Dutcher	Kimberly	Schmedika
Baird	Ethell	McIntosh	Scott
Banta	Fulton	Mead	Shinn
Bergman	Goodwin	Nelson	Slosson
Bowman	Hale	Newberry	Snook
Brookins	Haskell	Perkins	Thurston
Buser	Holdoegel	Price	Tuck
Caldwell	Horchem	Rees	

Nays, none.

Absent or not voting, 15.

Brookhart	Gilchrist	Reed	Stoddard
Browne	Hartman	Shaff	White
Cessna	Mantz	Shane	Wichman
Darting	Olson	Smith	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President Hammill resumed the chair at 2 p. m.

On motion of Senator Bowman House File No. 595, a bill for an act to legalize the notice of incorporation of the Grundy Construction Company, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Bowman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Abben	Campbell	Johnston	Schmedika
Adams	Cessna	Kimberly	Scott
Baird	Dutcher	McIntosh	Shane
Banta	Ethell	Mantz	Shinn
Bergman	Fulton	Mead	Slosson
Bowman	Gilchrist	Nelson	Snook
Brookhart	Goodwin	Perkins	Thurston
Brookins	Hale	Price	Tuck
Browne	Haskell	Reed	White
Buser	Holdoegel	Rees	
Caldwell	Horchem	Romkey	

Nays, none.

Absent or not voting, 8.

Darting	Newberry	Shaff	Stoddard
Hartman	Olson	Smith	Wichman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Snook House File No. 496, a bill for an act to amend the law as it appears in section fifty-seven hundred sixteen (5716), supplemental supplement to the code, 1915, as amended by section one (1), chapter two hundred seven (207), acts of the Thirty-eighth General Assembly (C. C. section 2189), relating to penitentiaries and men's reformatories, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Senator Snook offered the following amendment and moved its adoption:

Amend by striking all of lines one to four inclusive of section one and insert in lieu thereof the following:

"That chapter two hundred and seven acts of the Thirty-eighth General Assembly be and the same is hereby amended by adding after the period in line nineteen the following."

Also amend the title to read as follows:

An act to amend the law as it appears in chapter two hundred and seven, acts of the Thirty-eighth General Assembly (C. C. section 2189) relating to penitentiaries and men's reformatories.

The amendments were adopted.

The bill was read for information.

Senator Snook moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Abben	Campbell	McIntosh	Scott
Adams	Cessna	Mantz	Shaff
Baird	Darting	Mead	Shane
Banta	Ethell	Newberry	Slosson
Bergman	Goodwin	Perkins	Snook
Bowman	Hale	Price	Stoddard
Brookhart	Haskell	Reed	Tuck
Brookins	Horchem	Rees	White
Buser	Johnston	Romkey	Wichman
Caldwell	Kimberly	Schmedika	

Nays, 1.

Browne

Absent or not voting, 10.

Dutcher	Hartman	Olson	Thurston
Fulton	Holdoegel	Shinn	
Gilchrist	Nelson	Smith	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Snook moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

The Senate resumed consideration of Senate File No. 713.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by adding thereto at the end of section 6 thereof the following:

Such board of review shall meet for such purpose on the second Monday in June, 1923, at the office of the township, city or town clerk or recorder; and it shall sit from day to day until its duties are completed, which shall not be later than the first day of July; and all interested persons, firms, corporations or associations shall take notice of such meeting and of the time and place thereof. Such board shall adjust such assessment in the same manner as is now provided by law respecting assessments of property generally, and all provisions of law now in force with respect to complaints before boards of review, to hearings and action thereon, to appeals therefrom, to procedure and all other matters connected therewith, shall apply to such meeting and hearing on the second Monday in June, 1923, and to appeals therefrom.

The amendment was adopted.

Senator Dutcher offered the following amendment and moved its adoption:

Amend by adding to section one thousand three hundred twenty-one (1321) of the supplement to the code, 1913 (C. C. 4509) the following:

"In assessing the property of private banks or bankers no deduction shall be allowed for tax exempt securities in excess of an amount equal to the proportion that such tax exempt securities bear to the total assets of the bank, after deducting real estate."

The amendment was adopted.

Senator Dutcher offered the following amendment to the title and moved its adoption:

Amend the title by inserting after the semicolon (;) following the words and figures "(C. C. 4515)" in line seven (7) of said title the following: "also to amend section one thousand three hundred twenty-one (1321) of the supplement to the code, 1913 (C. C. 4509)."

The amendment to the title was adopted.

Senator Smith moved that further action on Senate File No. 713 be deferred until the special session.

On the question "Shall the motion prevail?" the vote was:

Ayes, 28.

Abben	Caldwell	Johnston	Schmedika
Bergman	Campbell	McIntosh	Shane
Bowman	Cessna	Mantz	Shinn
Brookhart	Darting	Mead	Smith
Brookins	Ethell	Nelson	Snook
Browne	Gilchrist	Price	Thurston
Buser	Haskell	Romkey	Tuck

Nays, 22.

Adams	Hale	Olson	Slosson
Baird	Hartman	Perkins	Stoddard
Banta	Holdoegel	Reed	White
Dutcher	Horchem	Rees	Wichman
Fulton	Kimberly	Scott	
Goodwin	Newberry	Shaff	

Absent or not voting, none.

The motion prevailed.

On motion of Senator Smith Senate File No. 714, a bill for an act to legalize, ratify and confirm any and all taxes heretofore paid, levied or assessed upon the shares, of national, state or savings banks, the collection thereof and the action of any assessor, board of equalization, board of review or assessment body, a committee bill, was taken up and considered.

The bill was read for information.

Senator Smith moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Abben	Ethell	Newberry	Shinn
Adams	Fulton	Olson	Slosson
Banta	Gilchrist	Perkins	Smith
Bergman	Goodwin	Price	Snook
Bowman	Hale	Reed	Stoddard
Brookhart	Haskell	Rees	Tuck
Brookins	Holdoegel	Romkey	White
Buser	Horchem	Schmedika	Wichman
Caldwell	Kimberly	Scott	
Campbell	McIntosh	Shaff	
Cessna	Nelson	Shane	

Nays, none.

Absent or not voting, 9.

Baird
Browne
Dartling

Dutcher
Hartman

Johnston
Mantz

Mead
Thurston

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Smith moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Smith moved that the secretary of the Senate have printed five hundred extra copies of Senate File 713 and five hundred extra copies of the substitute for Senate File No. 713.

Senator Price moved to amend by adding that a copy be mailed to each Senator.

The amendment was adopted.

The motion prevailed.

Senator Newberry moved that the Senate hold a night session tonight for the purpose of taking up bills on which there is no contest.

Senator Stoddard moved as a substitute motion that the Senate adjourn at 6 p. m. tonight to reconvene at 7:30; that the calendar be called in regular order and that a Senator may have action deferred on any bill he did not wish to take up.

The substitute was adopted.

The motion prevailed.

On motion of Senator Cessna, Senate File No. 734, by committee on departmental affairs, a bill for an act to amend section 155 of the code (C. C. 248); also to amend section 268 of the code (C. C. 262) to provide that the secretary of agriculture shall be a member of the executive council, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by inserting after the word "agriculture" in lines 5 and 6 of section 1 and setting them off by commas (,) the words "when such officer is elected to the office".

The amendment was lost.

The bill was read for information.

Senator Cessna moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Bergman	Gilchrist	Mantz	Scott
Brookhart	Goodwin	Mead	Shaff
Brookins	Hale	Nelson	Shane
Buser	Hartman	Perkins	Shinn
Caldwell	Haskell	Price	Slosson
Campbell	Johnston	Rees	Smith
Cessna	Kimberly	Romkey	Snook
Ethell	McIntosh	Schmedika	Thurston
			Tuck

Nays, 2.

Fulton Newberry

Absent or not voting, 15.

Abben	Bowman	Holdoegel	Stoddard
Adams	Browne	Horchem	White
Baird	Darting	Olson	Wichman
Banta	Dutcher	Reed	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Thurston moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent Senator Adams withdrew Senate File No. 736 from further consideration.

Senator Brookhart moved that House bills on the calendar be called first, which motion was lost.

On motion of Senator Cessna, Senate File No. 733, a bill for an act to amend section one hundred sixty-two (162) and one hundred sixty-three-a (163-a) of the supplement to the code, 1913 (C. C. 282, 274) and to repeal section one hundred seventy-s (170-s) of the supplemental supplement to the code, 1915 (C. C. 277) and to enact a substitute therefor and to repeal section one hundred seventy-v (170-v) of the supplemental supplement to the code, 1915 (C. C. 279) relating to the duties of the board of audit, a committee bill, was taken up and considered.

The bill was read for information.

Senator Cessna moved that 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	Ethell	Nelson	Slosson
Baird	Gilchrist	Newberry	Smith
Bergman	Goodwin	Olson	Snook
Brookhart	Hartman	Perkins	Stoddard
Brookins	Haskell	Price	Tuck
Caldwell	Kimberly	Rees	White
Campbell	McIntosh	Romkey	Wichman
Cessna	Mantz	Schmedika	
Darting	Mead	Shinn	

Nays, none.

Absent or not voting, 16.

Abben	Buser	Holdoegel	Scott
Banta	Dutcher	Horchem	Shaff
Bowman	Fulton	Johnston	Shane
Browne	Hale	Reed	Thurston

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Goodwin, House File No. 821, a bill for an act to repeal section twenty-one hundred twenty-six (2126), of the code, (C. C. 5177) and to enact a substitute therefor relating to the powers and duties of the board of railroad commissioners and regulation of carriers was substituted for Senate File No. 737, taken up and considered.

Senator Fulton offered the following amendment and moved its adoption:

Amend by inserting after the word "less" in line 23 of section 1 the following: "than a just and fair rate or charge".

Senator Fulton moved that further consideration of this bill be postponed until the special session.

Senator Brookhart raised the point of order that the subject matter contained in the bill had been previously acted on by the Senate at this session.

The President held the point of order not well taken.

Senator Haskell moved the previous question on the motion to defer, on pending amendments and the bill, which motion prevailed and the previous question was ordered.

The motion to defer was lost.

On the question "Shall the Fulton amendment be adopted?" the vote was:

Ayes, 13.

Brookhart	Darting	Johnston	Newberry
Brookins	Ethell	McIntosh	Romkey
Browne	Fulton	Nelson	Shinn
Buser			

Nays, 29.

Abben	Goodwin	Mead	Shaff
Adams	Hale	Olson	Shane
Baird	Hartman	Perkins	Slosson
Bergman	Haskell	Price	Snook
Bowman	Holdoegel	Reed	Tuck
Caldwell	Horchem	Rees	
Campbell	Kimberly	Schmedika	
Gilchrist	Mantz	Scott	

Absent or not voting, 8.

Banta	Dutcher	Stoddard	White
Cessna	Smith	Thurston	Wichman

The amendment was lost.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by changing the period at the end of line eight to a comma and adding the following: "compared with the price it charges for the same kind of freight transportation to or from any other point in the state, under like conditions."

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 16.

Brookhart	Darting	Nelson	Schmedika
Brookins	Fulton	Price	Shinn
Browne	Johnston	Reed	Snook
Buser	Mead	Romkey	Tuck

Nays, 25.

Adams	Gilchrist	Kimberly	Smith
Baird	Goodwin	Mantz	Thurston
Banta	Hale	Perkins	White
Bergman	Hartman	Scott	Wichman
Bowman	Haskell	Shaff	
Caldwell	Holdoegel	Shane	
Dutcher	Horchem	Slosson	

Absent or not voting, 9.

Abben	Ethell	Newberry	Rees
Campbell	McIntosh	Olson	Stoddard
Cessna			

The amendment was lost.

The bill was read for information.

Senator Goodwin moved that 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	Gilchrist	Mead	Shaff
Baird	Goodwin	Olson	Shane
Banta	Hale	Perkins	Slosson
Bergman	Hartman	Price	Snook
Bowman	Haskell	Reed	Stoddard
Caldwell	Holdoegel	Rees	White
Campbell	Horchem	Romkey	Wichman
Cessna	Kimberly	Schmedlka	
Dutcher	Mantz	Scott	

Nays, 6.

Brookhart	Darting	Johnston
Buser	Fulton	Shinn

Absent or not voting, 10.

Abben	Ethell	Newberry	Thurston
Brookins	McIntosh	Smith	Tuck
Browne	Nelson		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Goodwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent Senator Goodwin withdrew Senate File No. 737 from further consideration.

On motion of Senator Gilchrist House File No. 409, a bill for an act to provide for notice of maturity of mortgage, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking the comma (,) following the word "maturity" in section 4; also by striking the comma (,) following the word "breach" in section 4.

The amendment was adopted.

The bill was read for information.

Senator Gilchrist moved that the reading just had be considered the third reading, which motion prevailed.

Senator Gilchrist invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 18.

Bergman
Bowman
Brookhart
Brookins
Caldwell

Campbell
Johnston
McIntosh
Mead
Nelson

Newberry
Olson
Perkins
Reed
Shaff

Shinn
Snook
White

Nays, 22.

Abben
Adams
Baird
Browne
Cessna
Buser

Dutcher
Ethell
Fulton
Gilchrist
Goodwin
Hale

Hartman
Holdoegel
Horchem
Kimberly
Romkey
Price

Schmedlka
Scott
Slosson
Tuck

Absent or not voting, 10.

Banta
Darting
Haskell

Mantz
Rees
Shane

Smith
Stoddard
Thurston

Wichman

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Goodwin, House File No. 747, a bill for an act to amend section one (1) chapter one hundred eighty-nine (189), acts of the Thirty-ninth General Assembly (C. C. 5417), re-

lating to the regulation and supervision of stocks, bonds, securities, and investment companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Abben	Campbell	Kimberly	Schmedika
Adams	Cessna	McIntosh	Scott
Baird	Ethell	Mead	Shaff
Bergman	Gilchrist	Newberry	Shinn
Bowman	Goodwin	Olson	Snook
Brookhart	Holdoegel	Price	Tuck
Brookins	Horchem	Reed	White
Caldwell	Johnston	Romkey	

Nays, 1.

Fulton

Absent or not voting, 18.

Banta	Hale	Perkins	Stoddard
Browne	Hartman	Rees	Thurston
Buser	Haskell	Shane	Wichman
Darting	Mantz	Slosson	
Dutcher	Nelson	Smith	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Goodwin, House File No. 640, a bill for an act to amend section seventeen hundred forty-six (1746) of the code (C. C. 5662), relating to insurance other than life, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Adams offered the following amendment and moved its adoption:

Amend by striking therefrom the last sentence of said bill and inserting in lieu thereof the following:

"The request and the rider hereinbefore referred to shall only be permitted to be used in connection with insurance contracts issued in this state against the hazards of fire, lightning, tornadoes, cyclones, windstorms and sprinkler leakage."

The amendment was adopted.

The bill was read for information.

Senator Adams moved that the reading just had be considered the third reading, which motion prevailed.

Senator Adams invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Abben	Dutcher	Kimberly	Scott
Adams	Fulton	Mead	Slosson
Baird	Goodwin	Nelson	Snook
Bergman	Hale	Newberry	Thurston
Buser	Hartman	Olson	Tuck
Caldwell	Holdoegel	Reed	White
Campbell	Horchem	Schmedika	

Nays, 6.

Browne	McIntosh	Romkey
Gilchrist	Price	Shinn

Absent or not voting, 17.

Banta	Darting	Perkins	Stoddard
Howman	Ethell	Rees	Wichman
Brookhart	Haskell	Shaff	
Brookins	Johnston	Shane	
Cessna	Mantz	Smith	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Adams moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent Senator Adams withdrew Senate File No. 561 from further consideration.

On motion of Senator Buser House File No. 298, a bill for an act to amend chapter 275, acts of the 38th General Assembly, (supplement to C. C. chapter 17, sec. 3053) relating to the manner of fix-

ing the registration fee on motor vehicles, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Buser moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Abben	Darting	Kimberly	Schmedika
Adams	Dutcher	McIntosh	Shaff
Baird	Ethell	Mead	Shinn
Bergman	Fulton	Nelson	Slosson
Bowman	Gilchrist	Newberry	Snook
Brookins	Goodwin	Olson	Thurston
Browne	Hale	Perkins	Tuck
Buser	Hartman	Price	White
Caldwell	Holdoegel	Reed	
Campbell	Horchem	Romkey	

Nays, none.

Absent or not voting, 12.

Banta	Haskell	Rees	Smith
Brookhart	Johnston	Scott	Stoddard
Cessna	Mantz	Shane	Wichman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Buser moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Snook, House File No. 501, a bill for an act to amend section eight hundred eighty-seven (887), of the code, (C. C. 4030), relating to a tax for the general fund of 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 Snook moved that the reading just had be considered the third reading, which motion prevailed.

Senator Price invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 26.

Adams	Dutcher	McIntosh	Shaff
Baird	Gilchrist	Mead	Slosson
Bergman	Goodwin	Newberry	Snook
Bowman	Hale	Olson	Thurston
Buser	Hartman	Perkins	White
Campbell	Horchem	Price	
Darting	Kimberly	Reed	

Nays, 8.

Abben	Ethell	Romkey	Shinn
Browne	Nelson	Schmedika	Tuck

Absent or not voting, 16.

Banta	Cessna	Johnston	Shane
Brookhart	Fulton	Mantz	Smith
Brookins	Haskell	Rees	Stoddard
Caldwell	Holdoegel	Scott	Wichman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Snook moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Gilchrist House File No. 557, a bill for an act to amend section one thousand three hundred fourteen (1314) of the code (C. C. 4496) and section one thousand three hundred eighteen (1318) of the code (C. C. 4499) pertaining to the listing and taxation of property, 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 the period following the word "title" in line seven of section 1318 of the code, 1897 (C. C. 4499) and by inserting in lieu thereof a comma (,).

Also amend by adding to the bill the following—to be known as section three of the bill:

"Sec. 3. That section thirteen hundred eighteen (1318) of the code, 1897 (C. C. 4499) be amended by adding thereto at the end thereof the following: 'Provided that every warehouseman as herein specified shall file with the assessor of the township or municipality wherein his warehouse is situated a written statement showing all property in his posses-

sion belonging to another subject to taxation, and the name and address of the person, firm, corporation or estate to which it belongs; and in the event said warehouseman fails to furnish such statement to said assessor upon request, then all property in possession of the warehouseman belonging to another subject to taxation, shall be deemed to be owned by the warehouseman for the purposes of taxation, and he shall be liable for taxes thereon'".

The bill was read for information.

Senator Gilchrist moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Abben	Darting	McIntosh	Scott
Adams	Dutcher	Mead	Shaff
Baird	Ethell	Nelson	Shane
Banta	Fulton	Newberry	Slosson
Bergman	Gilchrist	Olson	Snook
Bowman	Goodwin	Perkins	Stoddard
Brookins	Hartman	Price	Thurston
Buser	Holdoegel	Reed	Tuck
Caldwell	Horchem	Romkey	White
Campbell	Kimberly	Schmedika	Wichman

Nays, 2.

Hale	Shinn
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Absent or not voting, 8.

Brookhart	Cessna	Johnston	Rees
Browne	Haskell	Mantz	Smith

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator White, House File No. 522, a bill for an act to authorize the state highway commission or boards of supervisors to order the removal of billboards and signs which obstruct the view of the public highways in such a manner as to render the use of such highways dangerous, and to provide penalties for violations of the provisions of the acts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Darting	Mead	Shaff
Adams	Dutcher	Nelson	Shane
Baird	Ethell	Newberry	Slosson
Banta	Fulton	Olson	Snook
Bergman	Gilchrist	Perkins	Stoddard
Bowman	Hale	Reed	Thurston
Browne	Holdoegel	Romkey	Tuck
Buser	Horchem	Schmedika	White
Cessna	Kimberly	Scott	Wichman

Nays, none.

Absent or not voting, 14.

Brookhart	Goodwin	McIntosh	Shinn
Brookins	Hartman	Mantz	Smith
Caldwell	Haskell	Price	
Campbell	Johnston	Rees	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent Senator Gilchrist withdrew Senate File No. 557 from further consideration.

On motion of Senator Olson, House File No. 573, a bill for an act to authorize the purchase of real estate in the city of Ames, where excess war equipment is stored, 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:

Amend by striking the words "state highway commission" from line 1 of section 1 and inserting in lieu thereof the words "executive council of Iowa".

Senator Goodwin moved that action be deferred on this bill until tomorrow morning, which motion prevailed.

On motion of Senator Baird, House File No. 695, a bill for an

act to amend section twenty-eight hundred fifteen (2815) of the code, as amended by chapter twenty-six (26), section two (2), acts of the Thirty-seventh General Assembly (C. C. 2642), relating to condemnation of land for school purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Baird moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Abben	Brookins	Horchem	Shaff
Adams	Browne	McIntosh	Shane
Baird	Caldwell	Mead	Snook
Banta	Ethell	Nelson	Stoddard
Bergman	Fulton	Newberry	Tuck
Bowman	Goodwin	Olson	Wichman
Brookhart	Hale	Perkins	

Nays 1.

Buser

Absent or not voting, 22.

Campbell	Haskell	Reed	Slosson
Cessna	Holdoegel	Rees	Smith
Darting	Johnston	Romkey	Thurston
Dutcher	Kimberly	Schmedika	White
Glichrist	Mantz	Scott	
Hartman	Price	Shinn	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 711, a bill for an act making an appropriation to provide for Ardis Roberdee, recipient of injuries in line of duty at Camp Dodge, Iowa.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 710, a bill for an act to provide for a portrait of the

Honorable Jonathan Prentiss Dolliver and making an appropriation therefor.

Also, that the House has passed the following Bill in which the concurrence of the Senate is asked:

House File No. 514, a bill for an act relating to insurance other than life.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 823, a bill for an act to provide the procedure for apportioning a tax on specific real estate when the title to different portions of said real estate has, after assessment and levy become vested in different parties in severalty.

Also, that the House has passed the following resolution in which the concurrence of the Senate is asked:

House joint resolution No. 9 relating to the tuition and fee charged at the state educational institutions of Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 721, a bill for an act relating to the investment of funds of life insurance companies and associations.

Also, that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

House concurrent resolution relating to the housing conditions of state institutions under control of the board of education.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 725, a bill for an act to authorize and empower the city council of Rock Rapids, Iowa, to transfer certain funds from the sewer fund and improvement fund of the city of Rock Rapids, Iowa, to the general fund of said city.

Also that the House recedes from its amendment to Senate File No. 525 a bill for an act authorizing drainage districts to issue funding bonds for the purpose of settling adjusting, renewing and extending the legal indebtedness they may have or any part thereof.

Also, that the House has failed to pass the following resolution in which the concurrence of the House was asked:

Senate joint resolution No. 2 proposing an amendment to section one (1) of Article VII of the Constitution of the State of Iowa, relating to extending the credit of the state.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 820, a bill for an act relating to the issuance of permits and licenses for the construction, maintenance and operation of dams in navigable and meandered streams and other water courses, etc.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 740, a bill for an act relating to the power of cities to provide playgrounds, etc.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 744, a bill for an act to legalize certain warrants issued by the board of supervisors of Monroe county, Iowa.

Also, that the House requests the return of Senate File 614, a bill for an act relating to the appropriation of state funds to meet the federal appropriation aiding vocational education.

Also, that the House has adopted the conference committee report and the amendments proposed by the committee on Senate File 273, a bill for an act imposing a state tax on gasoline.

A. C. GUSTAFSON, *Chief Clerk.*

On motion of Senator Mantz the Senate returned Senate File No. 614 to the House as requested.

HOUSE MESSAGES CONSIDERED

House File No. 514, a bill for an act to amend section one thousand six hundred ninety-one (1691) of the code, relating to insurance other than life.

Read first and second time and referred to sifting committee.

House File No. 721, a bill for an act to amend section eighteen hundred six (1806), supplemental supplement to the code, 1915, (C. C. 5532), relating to the investment of funds of life insurance companies and associations.

Read first and second time and referred to sifting committee.

House File No. 823, a bill for an act to provide the procedure for apportioning a tax on specific real estate when the title to different portions of said real estate has, after assessment and levy become vested in different parties in severalty.

Read first and second time and referred to sifting committee.

House Joint Resolution No. 9, relating to the tuition and fee charged at the state educational institutions of Iowa.

Read first and second times and referred to sifting committee.

House File No. 820, a bill for an act repealing the law as it appears in chapter one (1) of title ten (X) of the code, as amended by chapter twenty-five (25), acts of the Thirty-seventh General Assembly (C. C. chapter 3, title XIV), and enacting a substitute therefor relating to the issuance of permits and licenses for the construction, maintenance and operation of dams in navigable and

meandered streams and other water courses; providing for the payment of a license and annual operating fee; prohibiting unlawful combinations and the fixing of prices charged for power; and prescribing remedies and penalties for violations thereof.

Read first and second time and referred to sifting committee.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move that the vote by which House File No. 409 failed to pass the Senate be reconsidered.

F. C. GILCHRIST.

REPORT ON CODE REVISION

Des Moines, Iowa, April 16, 1923.

Hon. N. E. Kendall,
Governor of Iowa, State House.

Dear Sir: At the meeting held in your office on January 10, 1923, at which were present the special committee of the House and the Senate, constituting a joint committee appointed to consider the possibilities of code revision, it was practically the unanimous opinion of those present that the work of code revision should not prevent the introduction and consideration of bills touching upon general legislation.

It was also the unanimous opinion of those present at that time that they would not take up code revision unless an extra session would be called at the end of the hundred day period for the purpose of completing the work.

The members of that joint committee at this time, when only one legislative day of the Fortieth General Assembly remains, state for your information that an unusually large number of bills in connection with matters of general legislation have been introduced in the Fortieth General Assembly, some of them being of far reaching importance and requiring a very large amount of study and labor in their consideration.

You have already been informed by the chairman of the joint code revision committee of the number of code revision bills that have passed both houses and the status of remaining bills that have not been passed. This report appears on page 1393 of the Senate Journal.

We desire to state further that there has been prepared a concurrent resolution to provide for an extraordinary session to complete the work of code revision, which resolution has passed both the Senate and the House and a special act of the legislature providing for the carrying out of the plans for such extraordinary session, and we, the members of the preliminary code revision committee of the Fortieth General Assembly, do now report to you that the legislature took the first three weeks of the session practically exclusive for the consideration of code revision bills, and that in so far as it was consistent with proper attention to general legislation, the Fortieth General Assembly has made con-

scientious effort to accomplish the work of code revision. And because of the number of bills that were introduced at the general session and their very great importance, after making such effort to pass the code revision bills, we have accomplished the results heretofore reported to you by the chairman of the code revision committee and find ourselves unable to complete the work of code revision in a legislative session of a hundred days.

We are making this report at this time in compliance with your suggestion made in your office on January 10th.

We hope that this report will furnish you the information in connection with the work of code revision that has been done up to the present time and comply with our understanding of the intent and purpose of the meeting on January 10th.

Respectfully submitted,

P. C. HOLDEN, *Senate Chairman.*

W. C. EDSON, *House Chairman.*

STATE OF IOWA
EXECUTIVE DEPARTMENT

To the Senate and House of Representatives of the Fortieth General Assembly:

Whereas, Heretofore the Thirty-eighth General Assembly determined upon a revision and recodification of the statute law of the state, and created a commission to recommend such revision and recodification as might be deemed advisable, which commission has submitted an extended report thereon; and,

Whereas, The Fortieth General Assembly through its authorized committee has reported to me that it has made a conscientious effort to dispose of the subject at the present regular session, but that the same cannot be accomplished at such session, although the demand therefor is immediate and imperative, and has declared with practical unanimity by concurrent resolution that an extraordinary session is necessary to complete such revision and recodification; and,

Whereas, in view of the foregoing situation an extraordinary occasion exists within the contemplation of section 2, Article IV, of the Constitution; now, therefore,

I, N. E. Kendall, Governor of Iowa, Do hereby convene the Fortieth General Assembly in special session commencing on Wednesday, April 18, 1923, at 10:00 o'clock in the morning, for the purpose of concluding the revision and recodification of the law as aforesaid.

In Testimony Whereof, I have hereunto affixed my signature and an impression of the Great Seal of the State of Iowa.

Done at Des Moines, this 16th day of April, A. D. 1923.

(SEAL)

(Signed) N. E. KENDALL.

By the Governor:

(Signed) W. C. RAMSAY,
Secretary of State.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files Nos. 352, 548, 629, 681, 769, 806, 295, 583, 630, 636, 810, 813, 818, and Senate Files Nos. 361, 423, 446, 613, 669, 718 and 536.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 325, 338, 372, 381, 394, 409, 443, 506, 546, 549, 618, 637, 660, 631, 671, 536, 718, 669, 446, 613, 423 and 361, and House Files Nos. 352, 548, 629, 681, 769, 806, 295, 583, 630, 636, 810, 813 and 818.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 16th day of April, sent to the governor for his approval, Senate Files Nos. 314, 547, 700, 570, 325, 338, 372, 381, 394, 409, 443, 506, 546, 549, 618, 631, 637, 666 and 671.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 362, 395, 460, 540, 699, 566, 468, 398 and 316.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files Nos. 316, 398, 468, 566, 699, 540, 460, 395, and 362.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 16th day of April, sent to the Governor for his approval, Senate Files Nos. 316, 398, 468, 566, 699, 540, 460, 395 and 362.

F. C. GILCHRIST, *Chairman*.

The report was adopted.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE 354

MR. PRESIDENT: Your joint conference committee to whom was referred Senate File No. 354, beg leave to report that they have considered the matters in dispute in which the Senate refused to concur in the House amendments and report that they recommend a compromised report as follows:

CONFERENCE AMENDMENTS TO SENATE FILE NO. 354

Amend by striking from lines 3 and 4, section 1, the words and figures "one million two hundred eighty-seven thousand, four hundred dollars (\$1,287,400.00)" and substituting in lieu thereof the words and figures "one million, three hundred eighty-eight thousand nine hundred dollars (\$1,388,900.00)".

Also amend section one (1) by striking out in lines twenty-three (23) and twenty-four (24) the words and figures "eight hundred thirty-two thousand two hundred dollars (\$832,200.00)" and inserting in lieu thereof the words and figures "six hundred ninety-four thousand four hundred fifty dollars (\$694,450.00)".

Also amend lines twenty-six (26) and twenty-seven (27) of section one (1) by striking out the words and figures "eight hundred thirty-two thousand two hundred dollars (\$832,200.00)" and inserting in lieu thereof the words and figures "six hundred ninety-four thousand four hundred fifty dollars (\$694,450.00)".

Amend by striking from line four (4) of section three (3) the figures "\$24,000.00" and inserting in lieu thereof the figures "\$30,000.00".

Also amend by striking from line seven (7) of section three (3) the figures "\$25,500.00" and inserting therein the figures "\$31,500.00".

Amend by striking from line four (4) of section four (4) the figures "\$16,000.00" and inserting in lieu thereof the figures "\$20,000.00".

Also amend by striking from line thirteen (13) of section four (4) the

figures "\$25,600.00" and inserting in lieu thereof the figures "\$29,600.00".

Amend by striking from line four (4) of section six (6) the figures "\$28,000.00" and inserting in lieu thereof the figures "\$35,000.00".

Amend by striking from line thirteen (13) of section six (6) the figures "\$209,500.00" and inserting in lieu thereof the figures "\$216,500.00".

Amend by striking from line four (4) of section seven (7) the figures "\$20,000.00" and inserting in lieu thereof, the figures "\$25,000.00".

Also amend by striking from line seven (7) of section seven (7) the figures "\$26,500.00" and inserting in lieu thereof the figures "\$31,500.00".

Amend by striking from line four (4) of section eight (8) the figures "\$16,000.00" and inserting in lieu thereof the figures "\$20,000.00"

Also amend by striking from line thirteen (13) of section eight (8) the figures "\$37,900.00" and inserting in lieu thereof the figures "\$41,900.00".

Amend by striking from line four of section nine (9) the figures "\$16,000.00" and inserting in lieu thereof the figures "\$20,000.00".

Also amend by striking from line thirteen (13) of section nine (9) the figures "\$27,900.00" and inserting in lieu thereof the figures "\$31,900.00".

Amend by striking from line four (4) of section ten (10) the figures "\$24,000.00" and inserting in lieu thereof the figures "\$30,000.00".

Amend by striking from line ten (10) of section ten (10) the figures "\$44,500.00" and inserting in lieu thereof the figures "\$50,500.00".

Amend by striking from line four (4) of section eleven (11) the figures "\$24,000.00" and inserting in lieu thereof the figures "\$30,000.00".

Amend by striking from line seven (7) of section eleven (11) the figures "\$24,000.00" and inserting in lieu thereof the figures "\$30,000.00".

Amend by striking from line four of section twelve (12) the figures "\$16,000.00" and inserting in lieu thereof the figures "\$20,000.00".

Also amend by striking from line six (6), section twelve (12), the figures "\$5,000.00" and inserting in lieu thereof the figures "\$7,000.00".

Also amend by striking from line eight (8) section twelve (12) the figures "\$154,000.00" and inserting in lieu thereof the figures "\$160,000.00"

Amend by striking from line four (4) of section thirteen (13) the figures "\$24,000.00" and inserting in lieu thereof the figures "\$30,000.00"

Also amend by striking from line eleven (11) of section thirteen (13) the figures "\$199,500.00" and inserting in lieu thereof the figures "\$205,500.00"

Amend by striking from line four (4) of section fourteen (14) the figures "\$16,000.00" and inserting in lieu thereof the figures "\$20,000.00"

Amend by striking from line eight (8) section fourteen (14) the figures "\$3,000.00" and inserting in lieu thereof the figures "\$2,500.00"

Amend by striking from line ten (10) section fourteen (14) the figures "\$183,000.00" and inserting in lieu thereof the figures "\$186,500.00"

Also amend by striking from line four (4) section fifteen (15) the figures "\$320,000.00" and inserting in lieu thereof the figures "\$25,000.00"

Also amend by striking from line nine (9) section fifteen (15) the figures "\$100,000.00" and inserting in lieu thereof the figures "\$135,000.00"

Amend by striking from line twelve (12) section fifteen (15) the figures "\$129,000.00" and inserting in lieu thereof the figures "\$169,000.00"

Also amend by striking from line four (4) section sixteen (16) the figures "\$16,000.00" and inserting in lieu thereof the figures "\$20,000.00"

Amend by striking from line nine (9) section sixteen (16) the figures "\$24,500.00" and inserting in lieu thereof the figures "\$28,500.00"

Respectfully submitted,

BEN C. ABBEN, JR.,

J. K. HALE,

H. A. DARTING,

CHAS. S. BROWNE,

Senate Conference Committee.

C. A. KNUTSON,

FRANCIS JOHNSON,

FRANK W. ELLIOTT,

EARL W. VINCENT,

House Conference Committee.

Senator Tuck moved that the report be laid over until tomorrow, which motion prevailed.

The Senate adjourned until 7:30 p. m.

EVENING SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

HOUSE CONCURRENT RESOLUTION CONSIDERED

On motion of Senator Goodwin the following resolution was taken up and considered:

Whereas, It is freely charged that boys and girls attending our higher institutions of learning are being housed by the state board of education in buildings which are claimed to be fire traps, and

Whereas, Particularly at the agricultural college at Ames, it is claimed there are more than two hundred forty (240) Iowa girls being housed in buildings constructed of non-combustible materials which buildings are said to have partition walls made out of a composition of paper, known as wallboard, now therefore,

Be It Resolved by the House, the Senate concurring. That it is the sense of the Fortieth (40th) General Assembly that the board of education be and they are hereby directed to at once make a careful survey of the conditions which obtain in the institutions under their control, and that said board of education either bring the buildings used for dormitories at these institutions to a compliance with such reasonable rules and regulations governing buildings of a like nature as are usually provided for in

cities having ordinances on this subject, especially do we urge that such buildings be at once made to comply with the statutes of the state of Iowa relating to housing conditions, or that such unsafe buildings be at once abandoned as dormitories.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 16.

Abben	Bowman	McIntosh	Shaff
Adams	Gilchrist	Mantz	Shane
Banta	Goodwin	Olson	Snook
Bergman	Hale	Scott	Wichman

Nays, 18.

Brookhart	Cessna	Holdoegel	Reed
Brookins	Dutcher	Horchem	Tuck
Buser	Ethell	Nelson	White
Caldwell	Fulton	Newberry	
Campbell	Hartman	Perkins	

Absent or not voting, 16.

Baird	Johnston	Rees	Slosson
Browne	Kimberly	Romkey	Smith
Darting	Mead	Schmedika	Stoddard
Haskell	Price	Shinn	Thurston

The resolution having failed to receive a constitutional majority was declared to have failed to pass the Senate.

By unanimous consent Senator Horchem withdrew Senate File No. 659 from further consideration.

THIRD READING OF BILLS

On motion of Senator Goodwin, House Joint Resolution No. 6 providing for the annual display of the American flag on mother's day, the second Sunday in May, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

The resolution was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 34.

Abben	Campbell	Haskell	Shaff
Adams	Cessna	Holdoegel	Shane
Banta	Dutcher	Horchem	Snook
Bergman	Ethell	Kimberly	Stoddard
Bowman	Fulton	McIntosh	Tuck
Brookhart	Gilchrist	Mantz	White
Brookins	Goodwin	Nelson	Wichman
Buser	Hale	Newberry	
Caldwell	Hartman	Perkins	

Nays, none.

Absent or not voting, 16.

Baird	Mead	Rees	Shinn
Browne	Olson	Romkey	Slosson
Darting	Price	Schmedika	Smith
Johnston	Reed	Scott	Thurston

The resolution having received a constitutional majority was declared to have been adopted by the Senate, and the title was agreed to.

On motion of Senator Buser, Senate File No. 615, a bill for an act to amend section six (6) of chapter three hundred ninety-two (392) acts of the Thirty-eighth General Assembly (C. C. 1219) relating to the board of engineering examiners, was taken up and considered.

The bill was read for information.

Senator Buser moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Abben	Caldwell	Hale	Nelson
Adams	Campbell	Hartman	Perkins
Banta	Cessna	Haskell	Shane
Bergman	Dutcher	Holdoegel	Snook
Bowman	Ethell	Horchem	Stoddard
Brookhart	Fulton	Kimberly	Tuck
Brookins	Gilchrist	McIntosh	White
Buser	Goodwin	Mantz	Wichman

Nays, none.

Absent or not voting, 18.

Baird	Newberry	Romkey	Slosson
Browne	Olson	Schmedika	Smith
Darting	Price	Scott	Thurston
Johnston	Reed	Shaff	
Mead	Rees	Shinn	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Buser moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Bergman, Senate File No. 668, a bill for an act making an appropriation to compensate Dr. John W. Martin for professional services rendered to C. W. Adams while a member of the National Guard, was taken up and considered.

The bill was read for information.

Senator Bergman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Campbell	Horchem	Shane
Adams	Cessna	Kimberly	Slosson
Banta	Ethell	Mantz	Snook
Bergman	Fulton	Nelson	Stoddard
Bowman	Gilchrist	Newberry	Tuck
Brookhart	Goodwin	Perkins	White
Brookins	Hale	Reed	Wichman
Browne	Hartman	Schmedika	
Buser	Haskell	Scott	
Caldwell	Holdoegel	Shaff	

Nays, none.

Absent or not voting, 14.

Baird	Johnston	Price	Smith
Browne	McIntosh	Rees	Thurston
Darting	Mead	Romkey	
Dutcher	Olson	Shinn	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Stoddard, Senate File No. 726, a bill for an act empowering cities and towns to permit the consolidation of telephone companies and properties within the limits of the city under such regulations as may be agreed upon between said cities and towns and the owners of said utilities, was taken up and considered.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Ethell	Kimberly	Shane
Adams	Fulton	McIntosh	Slosson
Banta	Gilchrist	Mantz	Smith
Bergman	Goodwin	Nelson	Snook
Brookins	Hale	Newberry	Stoddard
Caldwell	Hartman	Perkins	Tuck
Campbell	Haskell	Schmedika	Wichman
Cessna	Holdoegel	Scott	
Dutcher	Horchem	Shaff	

Nays, none.

Absent or not voting, 16.

Baird	Buser	Olson	Romkey
Bowman	Darting	Price	Shinn
Brookhart	Johnston	Reed	Thurston
Browne	Mead	Rees	White

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Scott, House File No. 514, a bill for an act to amend section one thousand six hundred ninety-one (1691) of the code, relating to insurance other than life, was substituted for Senate File No. 638, taken up and considered.

The bill was read for information.

Senator Scott moved that the rule by which a bill may not be read a second and third time the same day 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.

Abben	Ethell	Horchem	Scott
Adams	Fulton	Kimberly	Shaff
Bergman	Gilchrist	McIntosh	Shane
Brookhart	Goodwin	Mantz	Slosson
Brookins	Hale	Nelson	Smith
Caldwell	Hartman	Newberry	Snook
Campbell	Haskell	Perkins	Wichman
Dutcher	Holdoegel	Schmedika	

Nays, none.

Absent or not voting, 19.

Baird	Cessna	Price	Stoddard
Banta	Darting	Reed	Thurston
Bowman	Johnston	Rees	Tuck
Browne	Mead	Romkey	White
Buser	Olson	Shinn	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to

Senator Adams moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent Senator Adams withdrew Senate File No. 638 from further consideration.

By unanimous consent Senator Smith withdrew Senate File No. 729 from further consideration.

By unanimous consent Senator Bergman withdrew Senate File No. 697 from further consideration.

On motion of Senator Newberry House File No. 828, a bill for an act providing that the board of directors of independent and city or town school districts may in certain cases transfer any excess in general fund to the school house fund, was substituted for Senate File No. 747, taken up and considered.

The bill was read for information.

Senator Newberry moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass" the vote was:

Ayes 34.

Abben	Cessna	Horchem	Shaft
Adams	Darting	Kimberly	Shane
Banta	Dutcher	McIntosh	Slosson
Bergman	Fulton	Mantz	Smith
Bowman	Gilchrist	Mead	Snook
Brookhart	Goodwin	Nelson	Stoddard
Brookins	Hale	Newberry	White
Caldwell	Hartman	Perkins	Wichman
Campbell	Holdoege	Schmedika	

Nays, none.

Absent or not voting, 16.

Baird	Haskell	Reed	Shinn
Browne	Johnston	Rees	Thurston
Buser	Olson	Romkey	Tuck
Ethell	Price	Scott	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Newberry moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent Senator Newberry withdrew Senate File No. 747 from further consideration.

On motion of Senator Kimberly House File No. 641, a bill for an act to amend chapter seven (7) acts of the Thirty-ninth General Assembly relating to the licensing of chiropractors and the regulation of the practice of chiropractic, was taken up and considered.

Senator Buser offered the following amendment and moved its adoption:

Amend by inserting the word "the" after the word "and" in line 3 of section 9 and before the word "Des Moines".

The amendment was adopted.

The bill was read for information.

Senator Kimberly moved that the reading just had be considered the third reading, which motion prevailed.

Senator Kimberly invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Adams	Cessna	Haskell	Shane
Bergman	Darting	Holdoegel	Slosson
Bowman	Ethell	Kimberly	Smith
Brookhart	Fulton	Nelson	Snook
Brookins	Gilchrist	Newberry	Stoddard
Buser	Goodwin	Schmedika	Tuck
Caldwell	Hale	Scott	White
Campbell	Hartman	Shaff	Wichman

Nays, none.

Absent or not voting, 18.

Abben	Horchem	Olson	Romkey
Baird	Johnston	Perkins	Shinn
Banta	McIntosh	Price	Thurston
Browne	Mantz	Reed	
Dutcher	Mead	Rees	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to

Senator Kimberly moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Banta Senate File No. 728, a bill for an act to require city and town councils to designate an official newspaper, was taken up and considered.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking the word "shall" from line 4 and inserting in lieu thereof the word "may".

The amendment was adopted.

By unanimous consent Senator Banta withdrew the bill from further consideration.

On motion of Senator Nelson House File No. 680, a bill for an act to amend chapter one hundred sixty-seven (167), laws of the Thirty-ninth General Assembly, relating to the levy of a tax to pay an annuity to the donor of property to municipal corporation, and to provide for the disposition of the fund raised by such tax, was taken up and considered.

The bill was read for information.

Senator Nelson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Abben	Ethell	Kimberly	Shane
Banta	Fulton	McIntosh	Slosson
Bergman	Goodwin	Nelson	Smith
Bowman	Hale	Newberry	Snook
Brookhart	Hartman	Perkins	Stoddard
Brookins	Haskell	Schmedika	Tuck
Caldwell	Holdoegel	Scott	White
Campbell	Horchem	Shaff	Wichman

Nays, none.

Absent or not voting, 18.

Adams	Darting	Mead	Romkey
Baird	Dutcher	Olson	Shinn
Browne	Gilchrist	Price	Thurston
Buser	Johnston	Reed	
Cessna	Mantz	Rees	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Nelson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Goodwin, House File No. 520, a bill for an act to amend section five (5), chapter three hundred nine (309) acts of the Thirty-seventh General Assembly (C. C. 1383) relating to the compensation of the board of dental examiners, was taken up and considered.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Abben	Dutcher	Horchem	Shaff
Banta	Ethell	Kimberly	Shane
Bergman	Fulton	McIntosh	Slosson
Bowman	Gilchrist	Mantz	Snook
Brookhart	Goodwin	Nelson	Tuck
Brookins	Hale	Newberry	White
Caldwell	Hartman	Perkins	
Campbell	Haskell	Schmedika	
Cessna	Holdoegel	Scott	

Nays, none.

Absent or not voting, 17.

Adams	Johnston	Reed	Smith
Baird	Mead	Rees	Stoddard
Browne	Olson	Romkey	Thurston
Buser	Price	Shinn	Wichman
Darting			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Goodwin, House File No. 561, a bill for an act making workmen's compensation awards exempt from garnishment, attachment and execution, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Abben	Dutcher	Holdoegel	Schmedika
Banta	Ethell	Horchem	Scott
Bergman	Fulton	Kimberly	Shaff
Bowman	Gilchrist	McIntosh	Slosson
Brookins	Goodwin	Mantz	Snook
Caldwell	Hale	Nelson	Tuck
Campbell	Hartman	Newberry	
Cessna	Haskell	Perkins	

Nays, none.

Absent or not voting, 20.

Adams	Darting	Reed	Smith
Baird	Johnston	Rees	Stoddard
Brookhart	Mead	Romkey	Thurston
Browne	Olson	Shane	White
Buser	Price	Shinn	Wichman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Gilchrist, House File No. 634, a bill for an act to amend section fourteen (14), chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly, (C. C. 2922), relating to the construction, improvement and maintenance of highways, was taken up and considered.

The bill was read for information.

Senator Gilchrist moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Abben	Campbell	Holdoegel	Schmedika
Adams	Cessna	Horchem	Scott
Banta	Ethell	Kimberly	Shaff
Bergman	Fulton	McIntosh	Slosson
Bowman	Gilchrist	Mantz	Smith
Brookings	Goodwin	Nelson	Snook
Buser	Hartman	Newberry	Tuck
Caldwell	Haskell	Perkins	

Nays, none.

Absent or not voting, 19.

Baird	Hale	Reed	Stoddard
Brookhart	Johnston	Rees	Thurston
Browne	Mead	Romkey	White
Darting	Olson	Shane	Wichman
Dutcher	Price	Shinn	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Kimberly, House File No. 678, a bill for an act authorizing cities and towns and cities acting under special charter to provide hospital, nursing and medical attention for the members of the police and fire departments of such cities, injured

while in the performance of their duties, was taken up and considered.

Senator Caldwell offered the following amendments and moved their adoption:

Amend by inserting after the word "attention" in line 4 of section 1 the words "or other remedial care"; also by inserting the same words in line 7 of section 1 after the word "attention".

Senator Caldwell withdrew his amendment.

The bill was read for information.

Senator Kimberly moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Abben	Cessna	Haskell	Schmedika
Adams	Darting	Holdoegel	Scott
Banta	Ethell	Horchem	Shaff
Bergman	Fulton	Kimberly	Slosson
Brookins	Gilchrist	McIntosh	Snook
Buser	Goodwin	Nelson	Tuck
Caldwell	Hale	Newberry	
Campbell	Hartman	Perkins	

Nays, none.

Absent or not voting, 20.

Baird	Johnston	Reed	Smith
Bowman	Mantz	Rees	Stoddard
Brookhart	Mead	Romkey	Thurston
Browne	Olson	Shane	White
Dutcher	Price	Shinn	Wichman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Goodwin, House File No. 742, a bill for an act relating to water along the highways of the state, and authorizing and empowering boards of supervisors to establish benefited districts and to levy special assessments for water against such benefited district, was taken up and considered.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking from line 22 of section 1 the following: "of the persons petitioning" and inserting in lieu thereof the words "of the district".

The amendment was adopted.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Abben	Campbell	Holdoegel	Schmedika
Adams	Dutcher	Horchem	Scott
Banta	Ethell	Kimberly	Shaff
Bergman	Gilchrist	McIntosh	Slosson
Bowman	Goodwin	Mantz	Smith
Brookins	Hale	Nelson	Snook
Buser	Hartman	Newberry	Tuck
Caldwell	Haskell	Perkins	

Nays, none.

Absent or not voting, 19.

Baird	Johnston	Rees	Thurston
Browne	Mead	Romkey	White
Cessna	Olson	Shane	Wichman
Darting	Price	Shinn	
Fulton	Reed	Stoddard	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Goodwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Bergman, Senate File No. 667, a bill for an act to amend chapter one hundred forty (140) acts of the Thirty-ninth General Assembly relating to the taxation, licensing and controlling of dogs, was taken up and considered.

The bill was read for information.

Senator Bergman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Abben	Fulton	McIntosh	Shaff
Adams	Gilchrist	Mantz	Slosson
Bergman	Goodwin	Nelson	Smith
Caldwell	Hale	Newberry	Snook
Campbell	Hartman	Perkins	Tuck
Cessna	Haskell	Reed	
Dutcher	Holdoegel	Schmedika	
Ethell	Kimberly	Scott	

Nays, none.

Absent or not voting, 21.

Baird	Buser	Price	Thurston
Banta	Darting	Rees	White
Bowman	Horchem	Romkey	Wichman
Brookhart	Johnston	Shane	
Brookins	Mead	Shinn	
Browne	Olson	Stoddard	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Hartman, House File No. 717, a bill for an act to amend section four hundred twenty-three (423) of the code, as amended by section four hundred, twenty-three (423), supplemental supplement to the code, 1915, chapter three hundred thirty-two (332), acts of the Thirty-seventh General Assembly and chapters seventy-one (71) and seventy-three (73), acts of the Thirty-eighth General Assembly (C. C. 3242) relating to expenditures for construction of buildings and bridges by a county, was taken up and considered.

The bill was read for information.

Senator Hartman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Abben	Cessna	Haskell	Reed
Adams	Dutcher	Holdoegel	Schmedika
Bergman	Ethell	Kimberly	Scott
Bowman	Fulton	McIntosh	Shaff
Brookins	Gilchrist	Mantz	Slosson
Buser	Goodwin	Nelson	Snook
Caldwell	Hale	Newberry	Tuck
Campbell	Hartman	Perkins	

Nays, none.

Absent or not voting, 19.

Baird	Johnston	Romkey	Thurston
Brookhart	Mead	Shane	White
Browne	Olson	Shinn	Wichman
Darting	Price	Smith	
Horchem	Rees	Stoddard	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Scott, House File No. 761, a bill for an act to amend section two hundred twenty-four-e (224-e), supplemental supplement of the code, 1915, as amended by chapter four hundred two (402), acts of the Thirty-seventh General Assembly, (C. C. 170) relating to distribution of supreme court reports, was taken up and considered.

The bill was read for information.

Senator Scott moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Adams	Cessna	Kimberly	Scott
Bergman	Fulton	McIntosh	Shaff
Bowman	Gilchrist	Nelson	Slosson
Brookins	Goodwin	Newberry	Smith
Buser	Hartman	Perkins	Snook
Caldwell	Haskell	Reed	Tuck
Campbell	Holdoegel	Schmedika	

Nays, none.

Absent or not voting, 23.

Abben	Dutcher	Mead	Shinn
Baird	Ethell	Olson	Stoddard
Banta	Hale	Price	Thurston
Brookhart	Horchem	Rees	White
Browne	Johnston	Romkey	Wichman
Darting	Mantz	Shane	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 800, a bill for an act relating to expenses of state fire marshal.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 255, a bill for an act relating to the state printing board.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 469, a bill for an act relating to the registration of animals.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 715, a bill for an act relating to special assessments and appeals therefrom.

Also, 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 relating to drainage assessments.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 753, a bill for an act relating to printing of supplement to compiled code.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 702, a bill for an act relating to control of water power.

Also, that the House has failed to pass the following bill in which the concurrence of the House was asked:

Senate File No. 524, a bill for an act relating to issuance of teachers' certificates by the board of educational examiners.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 800, a bill for an act to amend section twenty-nine (29), chapter two hundred nine (209), acts of the Thirty-ninth General Assembly, relating to expenses of state fire marshal

Read first and second time and referred to sifting committee.

The Journal of April 16 was corrected and approved.

On motion of Senator Gilchrist the Senate adjourned until 9 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 17, 1923.

The Senate met in regular session, President John Hammill presiding.

Prayer was offered by Rev. G. Koyker, pastor of the Presbyterian church of Perry, Iowa.

On motion of Senator McIntosh rule 33 was suspended 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 amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 739, a bill for an act relating to payment of taxes and penalties thereon.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS CONSIDERED

Senator Schmiedika called up for consideration Senate File No. 739, amended by the House, and moved that the Senate concur in the following amendment:

Amend the title to Senate File No. 739 by inserting in the seventh line thereof preceding the word "relating" the following: "and section fifteen hundred forty-three (1543) of the code (C. C. 2972)".

On the question "Shall the amendment be concurred in?" the vote was:

Ayes, 29.

Abben
Adams
Brookhart
Brookins
Caldwell
Cessna
Ethell
Fulton

Hartman
Johnston
McIntosh
Mantz
Nelson
Newberry
Olson
Price

Reed
Rees
Romkey
Schmedika
Scott
Shane
Shinn
Slosson

Snook
Stoddard
Thurston
Tuck
Wichman

Nays, none.

Absent or not voting. 21

Baird	Campbell	Haskell	Shaff
Banta	Darting	Holdoegel	Smith
Bergman	Dutcher	Horchem	White
Bowman	Gilchrist	Kimberly	
Browne	Goodwin	Mead	
Buser	Hale	Perkins	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Banta called up for consideration Senate File No. 255 amended by the House, and moved that the Senate concur in the following amendments:

Amend by adding as section 21 the following:

Sec. 21. *Disposal of Plates and Slugs.* Plates and slugs from which former editions of the codes and supplements to the codes have been printed shall, when no longer needed, be sold by the state printing board and the proceeds deposited with the state treasurer to the credit of the general fund.

Amend Senate File 255 by adding thereto the following:

"That section 241-a59, supplement to the compiled code is amended, revised, and codified to read as follows:

"Sec. 22. Cumulative legislative bulletin.

The superintendent of printing shall, throughout each legislative session, and commencing with the close of the fourth week thereof, compile and cause to be printed, each alternate week, a cumulative bulletin of bills and joint resolutions, which bulletin shall contain a brief history of each bill, and detailed information as to the status of legislation and shall be conveniently indexed. The last issue of each bulletin shall be brought down to the time of final adjournment and shall be promptly furnished to all members of the General Assembly and to such others as the superintendent may determine."

On the question "Shall the amendments be concurred in?" the vote was:

Ayes, 29.

Abben	Fulton	Reed	Snook
Adams	Gilchrist	Rees	Stoddard
Banta	McIntosh	Romkey	Thurston
Bowman	Mantz	Schmedika	Tuck
Brookhart	Nelson	Scott	Wichman
Brookins	Newberry	Shaff	
Caldwell	Olson	Shinn	
Ethell	Price	Slosson	

Nays, none.

Absent or not voting, 21

Baird	Darting	Holdoegel	Shane
Bergman	Dutcher	Horchem	Smith
Browne	Goodwin	Johnston	White
Buser	Hale	Kimberly	
Campbell	Hartman	Mead	
Cessna	Haskell	Perkins	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Adams House File No. 816, a bill for an act to appropriate nine thousand seven hundred ninety-two dollars and thirty-three cents, (\$9,792.33), or so much thereof as may be necessary for the purpose of paying drainage assessments against state owned land in connection with the drainage of Mud lake, was taken up and considered.

The bill was read for information.

Senator Adams moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Darting	Olson	Shinn
Adams	Fulton	Perkins	Slosson
Banta	Gilchrist	Reed	Snook
Bergman	Hale	Rees	Thurston
Brookhart	Haskell	Romkey	Tuck
Brookins	Holdoegel	Schmedika	White
Buser	McIntosh	Scott	Wichman
Caldwell	Nelson	Shaff	
Campbell	Newberry	Shane	

Nays, none.

Absent or not voting, 16.

Baird	Dutcher	Horchem	Mead
Howman	Ethell	Johnston	Price
Browne	Goodwin	Kimberly	Smith
Cessna	Hartman	Mantz	Stoddard

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Haskell, House File No. 578, a bill for an act to authorize the issuance of a patent to certain lands in Jones county, Iowa, to S. G. Matson, was taken up and considered.

The bill was read for information.

Senator Haskell moved that 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	Gilchrist	Newberry	Shinn
Banta	Hale	Olson	Slosson
Bowman	Hartman	Perkins	Snook
Caldwell	Haskell	Reed	Thurston
Campbell	Holdoegel	Rees	Tuck
Cessna	Horchem	Romkey	Wichman
Darting	McIntosh	Scott	
Ethell	Mantz	Shaff	
Fulton	Nelson	Shane	

Nays, none.

Absent or not voting, 17.

Abben	Browne	Johnston	Schmedika
Baird	Buser	Kimberly	Smith
Bergman	Dutcher	Mead	Stoddard
Brookhart	Goodwin	Price	White
Brookins			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Goodwin House File No. 560, a bill for an act to repeal section sixteen hundred eighty-three-r (1683-r) (C. C. 5460), supplement to the code, 1913, as amended by section fifteen (15), chapter two hundred nine (209), acts of the Thirty-ninth General Assembly, and to enact a substitute in lieu thereof relating to the insurance department, was taken up and considered.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Fulton	Nelson	Shan
Adams	Gilchrist	Newberry	Slosson
Banta	Goodwin	Olson	Snook
Bowman	Hale	Perkins	Stoddard
Brookhart	Hartman	Price	Thurston
Brookins	Holdoegel	Romkey	Tuck
Caldwell	Horchem	Schmedika	White
Campbell	McIntosh	Scott	Wichman
Ethell	Mantz	Shane	

Nays, none.

Absent or not voting, 15.

Baird	Cessna	Johnston	Rees
Bergman	Darting	Kimberly	Shaff
Browne	Dutcher	Mead	Smith
Buser	Haskell	Reed	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments to House File 641, a bill for an act relating to the licensing of chiropractors and the regulation of the practice of chiropractic.

Also, that the House has concurred in Senate amendments to House File 827, a bill for an act relating to renewals of charters for private corporations.

Also, that the House has concurred in Senate amendments to House File No. 496, a bill for an act relating to penitentiaries and men's reformatories.

Also, that the House has concurred in Senate amendments to House File No. 557, a bill for an act pertaining to the listing and taxation of property.

Also, that the House has adopted the report of the conference committee and the amendments proposed by the conference committee on House File No. 224, a bill for an act relating to judges and courts, and rules for conciliation of certain controversies.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 452, a bill for an act making an appropriation to defray the expenses incurred by the Fort Dodge, Des Moines & Southern Railroad Company made necessary in clearing its tracks on account of the slide which occurred at the south end of the capitol grounds extension in the spring of 1920.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 831, a bill for an act relating to the engineering department of the Iowa state college and the state highway commission.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 614, a bill for an act relating to vocational education.

A. C. GUSTAFSON, *Chief Clerk*.

REPORT OF SIFTING COMMITTEE

April 17, 1923.

MR. PRESIDENT: Your sifting committee reports the following bills out on the calendar: House Files Nos. 697, 651, 809, 666, 434, 607 and 609.

GEO. B. PERKINS, *Chairman*.

HOUSE AMENDMENTS CONSIDERED

Senator Mantz called up for consideration Senate File No. 614 amended by the House, and moved that the Senate concur in the following amendment:

On the question "Shall the amendment be concurred in?" the vote was:

Ayes, 32.

Abben	Fulton	Nelson	Scott
Adams	Goodwin	Newberry	Shane
Banta	Hale	Olson	Shinn
Bergman	Hartman	Perkins	Slosson
Brookhart	Holdoegel	Price	Snook
Brookins	Horchem	Rees	Tuck
Caldwell	McIntosh	Romkey	White
Ethell	Mantz	Schmedika	Wichman

Nays, none.

Absent or not voting, 18.

Baird	Cessna	Johnston	Smith
Bowman	Darting	Kimberly	Stoddard
Browne	Dutcher	Mead	Thurston
Buser	Gilchrist	Reed	
Campbell	Haskell	Shaff	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Mantz moved that the vote by which the amendments were adopted by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Gilchrist called up for consideration the following report and moved its adoption:

To the Speaker of the House of Representatives, and to the President of the Senate:

Your joint conference committee to whom was referred House File No. 224 by committee on code revision, a bill for an act to amend chapter four (4) of the title twenty-eight (28) of the compiled code of Iowa, relating to judges and courts, and rules for conciliation of certain controversies, beg leave to report that they have considered the matters in dispute in which the House refused to concur in the Senate amendments and report that they recommend a compromise, report as follows:

"That House File No. 224 be amended as follows:"

NO. 1

By striking out all of section three (3) and substitute in lieu thereof the following:

Sec. 3. In districts in which rules for conciliation are adopted and the conciliators appointed, no person may maintain an action for the recovery of a disputed claim of one hundred (\$100.00) dollars, or less unless he alleges and proves by certificate of the conciliator that he has made a good faith effort to settle the controversy. This section shall not apply to suits aided by attachment, or to enforce a lien, or for replevin, or upon written contracts when due, or in cases where the petition states that the defendant is about to change his residence from the county, or where either party to the controversy is a nonresident of the county in which the conciliator is acting.

Members of the conference committee on the part of the House:

CLYDE H. DOOLITTLE, *Chairman*,
R. O. GARBER.
F. B. GILBERT.

Members of the conference committee on the part of the Senate:

J. L. BROOKHART, *Chairman*,
F. C. GILCHRIST.
A. H. BERGMAN.
J. O. SHAFF.

On the question "Shall the Senate concur in and adopt the report?" the vote was:

Ayes, 31.

Abben	Dutcher	Horchem	Schmedika
Adams	Ethell	McIntosh	Scott
Bowman	Fulton	Mantz	Shane
Brookhart	Gilchrist	Newberry	Slosson
Brookins	Goodwin	Olson	Snook
Caldwell	Hale	Price	White
Campbell	Hartman	Rees	Wichman
Cessna	Holdoegel	Romkey	

Nays, none.

Absent or not voting, 19.

Baird	Darting	Nelson	Smith
Banta	Haskell	Perkins	Stoddard
Bergman	Johnston	Reed	Thurston
Browne	Kimberly	Shaff	Tuck
Buser	Mead	Shinn	

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Abben called up for consideration the following report and moved its adoption:

MR. PRESIDENT: Your joint conference committee to whom was referred Senate File No. 354, beg leave to report that they have considered the matters in dispute in which the Senate refused to concur in the House amendments and report that they recommend a compromised report as follows:

CONFERENCE AMENDMENTS TO SENATE FILE NO. 354

Amend by striking from lines 3 and 4, section 1, the words and figures "one million two hundred eighty-seven thousand, four hundred dollars (\$1,287,400.00)" and substituting in lieu thereof the words and figures "one million, three hundred eighty-eight thousand nine hundred dollars (\$1,388,900.00)".

Also amend section one (1) by striking out in lines twenty-three (23) and twenty-four (24) the words and figures "eight hundred thirty-two thousand two hundred dollars (\$832,200.00)" and inserting in lieu thereof the words and figures "six hundred ninety-four thousand four hundred fifty dollars (\$694,450.00)".

Also amend lines twenty-six (26) and twenty-seven (27) of section one (1) by striking out the words and figures "eight hundred thirty-two thousand two hundred dollars (\$832,200.00)" and inserting in lieu thereof the words and figures "six hundred ninety-four thousand four hundred fifty dollars (\$694,450.00)".

Amend by striking from line four (4) of section three (3) the figures "\$24,000.00" and inserting in lieu thereof the figures "\$30,000.00".

Also amend by striking from line seven (7) of section three (3) the figures "\$25,000.00" and inserting therein the figures "\$31,500.00".

Amend by striking from line four (4) of section four (4) the figures "\$16,000.00" and inserting in lieu thereof the figures "\$20,000.00".

Also amend by striking from line thirteen (13) of section four (4) the figures "\$25,600.00" and inserting in lieu thereof the figures "\$29,600.00".

Amend by striking from line four (4) of section six (6) the figures "\$28,000.00" and inserting in lieu thereof the figures "\$35,000.00".

Amend by striking from line thirteen (13) of section six (6) the figures "\$209,500.00" and inserting in lieu thereof the figures "\$216,500.00".

Amend by striking from line four (4) of section seven (7) the figures "\$20,000.00" and inserting in lieu thereof the figures "\$25,000.00".

Also amend by striking from line seven (7) of section seven (7) the figures "\$26,500.00" and inserting in lieu thereof the figures "\$31,500.00".

Amend by striking from line four (4) of section eight (8) the figures "\$16,000.00" and inserting in lieu thereof the figures "\$20,000.00".

Also amend by striking from line thirteen (13) of section eight (8) the figures "\$37,900.00" and inserting in lieu thereof the figures "\$41,900.00".

Amend by striking from line four of section nine (9) the figures "\$16,000.00" and inserting in lieu thereof the figures "\$20,000.00".

Also amend by striking from line thirteen (13) of section nine (9) the figures "\$27,900.00" and inserting in lieu thereof the figures "\$31,900.00".

Amend by striking from line four (4) of section ten (10) the figures "\$24,000.00" and inserting in lieu thereof the figures "\$30,000.00".

Amend by striking from line ten (10) section ten (10) the figures "\$44,500.00" and inserting in lieu thereof the figures "\$50,500.00".

Amend by striking from line four (4) of section eleven (11) the figures "\$24,000.00" and inserting in lieu thereof the figures "\$30,000.00".

Amend by striking from line seven (7) of section eleven (11) the figures "\$24,000.00" and inserting in lieu thereof the figures "\$30,000.00".

Amend by striking from line four of section twelve (12) the figures "\$16,000.00" and inserting in lieu thereof the figures "\$20,000.00".

Also amend by striking from line six (6) section twelve (12) the figures "\$5,000.00" and inserting in lieu thereof the figures "\$7,000.00".

Also amend by striking from line eight (8) section twelve (12) the figures "\$154,000.00" and inserting in lieu thereof the figures "\$160,000.00".

Amend by striking from line four (4) of section thirteen (13) the figures "\$24,000.00" and inserting in lieu thereof the figures "\$30,000.00".

Also amend by striking from line eleven (11) of section thirteen (13) the figures "\$199,500.00" and inserting in lieu thereof the figures "\$205,500.00".

Amend by striking from line four (4) of section fourteen (14) the figures "\$16,000.00" and inserting in lieu thereof the figures "\$20,000.00".

Amend by striking from line eight (8) section fourteen (14) the figures "\$3,000.00" and inserting in lieu thereof the figures "\$2,500.00".

Amend by striking from line ten (10) section fourteen (14) the figures "\$183,000.00" and inserting in lieu thereof the figures "\$186,500.00".

Also amend by striking from line four (4) section fifteen (15) the

figures "\$20,000.00" and inserting in lieu thereof the figures "\$25,000.00".

Also amend by striking from line nine (9) section fifteen (15) the figures "\$100,000.00" and inserting in lieu thereof the figures "\$135,000.00".

Amend by striking from line twelve (12) section fifteen (15) the figures "\$129,000.00" and inserting in lieu thereof the figures "\$169,000.00".

Also amend by striking from line four (4) section sixteen (16) the figures "\$16,000.00" and inserting in lieu thereof the figures "\$20,000.00".

Amend by striking from line nine (9) section sixteen (16) the figures "\$24,500.00" and inserting in lieu thereof the figures "\$28,500.00".

Senator Cessna offered the following amendment and moved its adoption:

Amend by striking the words and figures "fifty thousand dollars (\$50,000.00)" from the bill.

Senator Abben raised the point of order that the matter under discussion was the conference committee report and this was not included in same.

The President held the point well taken.

Senator Price moved to amend Senator Cessna's amendment by inserting after the word "amend" the words "the conference report on."

Senator Holdoegel raised the point of order that the amendment could not be amended as it was out of order.

The President held the point well taken.

On the question "Shall the Senate concur in and adopt the report?" the vote was:

Ayes, 29.

Abben	Dutcher	McIntosh	Shane
Adams	Fulton	Mantz	Slosson
Banta	Gilchrist	Mead	Stoddard
Brookhart	Hale	Nelson	White
Brookins	Hartman	Newberry	Wichman
Buser	Haskell	Olson	
Caldwell	Holdoegel	Perkins	
Campbell	Horchem	Scott	

Nays, 5.

Cessna	Schmedika	Shinn	Snook
Romkey			

Absent or not voting, 16.

Baird	Darting	Kimberly	Shaff
Bergman	Ethell	Price	Smith
Bowman	Goodwin	Reed	Thurston
Browne	Johnston	Rees	Tuck

The report having received a constitutional majority was declared to have been adopted and 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. 363, a bill for an act relating to concealed weapons, firearms and toy pistols, etc.

Also, that the House has concurred in Senate amendments to House File 640, a bill for an act relating to insurance other than life.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 509, a bill for an act relating to the appropriation for refund of taxes paid by certain insurance companies, etc.

Also, 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 relating to immoral and lascivious acts with or in the presence of children.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 408, a bill for an act relating to the trapping of fur bearing animals and providing for the protection of skunks.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 532, a bill for an act relating to the rate of interest on bonds.

Also, that the House has passed the following resolution in which the concurrence of the Senate is asked:

House joint resolution No. 10 providing for the appointment of a joint committee of the House and Senate for the purpose of considering the advisability of coordinating the work of the State University, the College of Agriculture and Mechanic Arts, and the State Teachers College, etc.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 830, a bill for an act relating to the sale and the use of anti-hog cholera serum and hog cholera virus and providing for a disposition of funds.

A. C. GUSTAFSON, *Chief Clerk.*

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 754, 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.

HOUSE MESSAGES CONSIDERED

House File No. 831, a bill for an act to provide more space for the engineering department of the Iowa state college without making an appropriation therefor, to provide offices for the state highway commission outside of the college buildings, and to provide for the acceptance of real estate donated by the citizens of Ames.

Read first and second time and placed on calendar.

House Joint Resolution No. 10, providing for the appointment of a joint committee of the House and Senate for the purpose of considering the advisability of coordinating the work of the state university, the college of agriculture and mechanic arts, and the state teachers college, and report on the advisability of eliminating duplication of work in these institutions, and making such other recommendations as may be deemed advisable for the efficient and economical administration and management of these three educational institutions.

Read first and second time and placed on calendar.

House File No. 830, a bill for an act to amend section seventeen (17), chapter one hundred seventy-three (173), acts of the Thirty-ninth General Assembly, relating to the sale and use of anti-hog cholera serum and hog cholera virus and providing for a disposition of funds.

Read first and second time and placed on calendar.

THIRD READING OF BILLS

On motion of Senator Fulton, Senate File No. 655, a bill for an act to repeal section two thousand six hundred forty-nine (2649) of the code, 1897, (C. C. 2397) relative to tuition in the state college of agriculture and mechanic arts, to provide for tuition, incidental and special fees in various colleges of the state university, in the Iowa state teachers college and in the state college of agriculture and mechanic arts and to authorize the granting of certain honor scholar-

ships, was taken up, considered, and the report of the committee adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by inserting after section 1 the following as section 2 and renumbering the succeeding sections consecutively:

Section 2. Section twenty-six hundred seventy-six (2676) of the code, 1897 (C. C. 2432) is hereby amended by striking all following the period in line 11.

The amendment was adopted.

The bill was read for information.

Senator Fulton moved that 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	Darting	McIntosh	Schmedika
Banta	Ethell	Mantz	Scott
Bergman	Fulton	Mead	Shane
Brookins	Goodwin	Nelson	Shinn
Buser	Hale	Newberry	Slosson
Caldwell	Hartman	Price	Thurston
Campbell	Haskell	Rees	Tuck
Cessna	Johnston	Romkey	White

Nays, 8.

Abben	Gilchrist	Horchem	Shaff
Bowman	Holdoegel	Olson	Wichman

Absent or not voting, 10.

Baird	Dutcher	Reed	Stoddard
Brookhart	Kimberly	Smith	
Browne	Perkins	Snook	

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Fulton offered the following amendment to the title and moved its adoption:

Amend by inserting after the comma (,) following the word "Arts" in line 3 of the title the words "to amend section twenty-six hundred seventy-six (2676) of the code, 1897, relative to tuition in Iowa State Teachers College".

The amendment to the title was adopted and the title as amended was agreed to.

Senator Fulton moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 740, 701, 725, 744, 525.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

Also:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 60, 268, 595, 604, 791, 807, 821, 826.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files Nos. 525, 744, 725, 740 and 701, and House Files Nos. 60, 268, 595, 604, 791, 807, 821 and 826.

Senator Price moved that all bills now on the calendar, with the exception of appropriation bills and the salary bills be referred to the sifting committee.

Senator Campbell moved to amend by adding "except House committee bills".

Senator Holdoegel moved as a substitute motion that the Senate proceed with the call of the calendar.

The substitution was made.

The motion prevailed.

Senator Buser moved that House File No. 615 be called from the sifting committee for consideration.

Senator Bowman raised the point of order that the Senate had just voted to proceed with the calendar.

The President held the point not well taken.

Senator Price moved that the Senate concur in the House amendments to Senate File No. 363.

Senator Stoddard raised the point of order that the Senate was on the question of the third reading of bills and all these motions were out of order.

The President held Senator Price's motion out of order, but sustained Senator Buser's motion.

Senator Stoddard then moved as a substitute motion that the Senate proceed with the consideration of the calendar—Senate File No. 749.

Senator Buser raised the point of order that Senator Stoddard's motion was not germane.

The President held the point well taken.

Senator Buser invoked rule 8.

On the question "Shall Senator Buser's motion to withdraw House File No. 615 from the sifting committee prevail?" the vote was:

Ayes, 26.

Bowman	Ethell	Olson	Slosson
Brookhart	Gilchrist	Price	Thurston
Browne	Hartman	Rees	Tuck
Buser	Holdoegel	Romkey	White
Caldwell	Johnston	Schmedika	Wichman
Campbell	McIntosh	Shane	
Cessna	Mead	Shinn	

Nays, 19.

Abben	Darting	Horchem	Scott
Adams	Dutcher	Mantz	Smith
Banta	Fulton	Nelson	Snook
Bergman	Hale	Newberry	Stoddard
Brookins	Haskell	Perkins	

Absent or not voting, 5.

Baird	Kimberly	Reed	Shaff
Goodwin			

Senator Buser moved that the Senate now proceed with the consideration of this bill.

Senator Dutcher raised the point of order that it took a two-thirds vote to take anything from the sifting committee.

The President held the point well taken and declared the motion lost.

On motion of Senator Holdoegel the Senate resumed consideration of House File No. 573, a bill for an act to authorize the purchase of real estate in the city of Ames, where excess war equipment is stored.

The following amendment by Senator Buser was considered:
Amend by striking the words "state highway commission" from line 1 of section 1 and inserting in lieu thereof the words "executive council of Iowa".

Senator Holdoegel raised the point of order that Senator Buser had closed the debate on the amendment and no one else could now yield for a question.

The President held the point well taken.

Senator Baird invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 19.

Brookhart	Hartman	Price	Smith
Buser	Johnston	Rees	Snook
Campbell	McIntosh	Romkey	Thurston
Ethell	Mead	Schmedika	Tuck
Fulton	Nelson	Shinn	

Nays, 28.

Abben	Browne	Holdoegel	Scott
Adams	Caldwell	Horchem	Shaff
Baird	Darting	Mantz	Shane
Banta	Dutcher	Newberry	Slosson
Bergman	Gilchrist	Olson	Stoddard
Bowman	Hale	Perkins	White
Brookins	Haskell	Reed	Wichman

Absent or not voting, 3.

Cessna	Goodwin	Kimberly
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The amendment was lost.

Senator Buser offered the following amendment and moved its adoption:

Amend by inserting after the word "commission" in line 1 of section 1 the words "by and with the approval of the executive council of Iowa".

Senator Shaff raised the point of order that this matter had been passed upon in the preceding amendment.

The President held the point not well taken.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 21.

Brookhart	Fulton	Price	Snook
Buser	Hartman	Rees	Thurston
Campbell	Johnston	Romkey	Tuck
Cessna	McIntosh	Schmedika	
Darting	Mead	Shinn	
Ethell	Nelson	Smith	

Nays, 27.

Abben	Caldwell	Horchem	Shaff
Adams	Dutcher	Mantz	Shane
Baird	Gilchrist	Newberry	Slosson
Banta	Goodwin	Olson	Stoddard
Bergman	Hale	Perkins	White
Bowman	Haskell	Reed	Wichman
Brookins	Holdoegel	Scott	

Absent or not voting, 2.

Browne Kimberly

The amendment was lost.

The bill was read for information.

Senator Holdoegel moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Abben	Darting	Mantz	Shane
Adams	Dutcher	Mead	Slosson
Baird	Fulton	Newberry	Stoddard
Banta	Goodwin	Olson	White
Bergman	Hale	Perkins	Wichman
Bowman	Haskell	Reed	
Brookins	Holdoegel	Scott	
Caldwell	Horchem	Shaff	

Nays, 17.

Brookhart	Johnston	Romkey	Thurston
Browne	McIntosh	Schmedika	Tuck
Buser	Nelson	Shinn	
Campbell	Price	Smith	
Ethell	Rees	Snook	

Absent or not voting, 4.

Cessna	Gilchrist	Hartman	Kimberly
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Holdoegel moved that the vote by which the bill 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, 26.

Abben	Caldwell	Horchem	Shane
Adams	Darting	Mantz	Slosson
Baird	Dutcher	Newberry	Stoddard
Banta	Goodwin	Olson	White
Bergman	Hale	Reed	Wichman
Bowman	Haskell	Scott	
Brookins	Holdoegel	Shaff	

Nays, 18.

Brookhart	Johnston	Rees	Snook
Buser	McIntosh	Romkey	Thurston
Campbell	Mead	Schmedika	Tuck
Fulton	Nelson	Shinn	
Hartman	Price	Smith	

Absent or not voting, 6

Browne	Ethell	Kimberly	Perkins
Cessna	Gilchrist		

The motion prevailed.

On motion of Senator Stoddard, Senate File No. 749, a bill for an act to make appropriation for the payment of state and other expenses, was taken up and considered.

By unanimous consent on the request of Senator Newberry the catch words were stricken from the beginning of each section.

Senator Fulton offered the following amendment, and moved its adoption:

Amend by striking from section 13 the words and figures "forty thousand dollars (\$40,000.00)" and inserting in lieu thereof the words and figures "ten thousand dollars (\$10,000.00)".

The amendment was lost.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Caldwell	Holdoegel	Shinn
Adams	Campbell	Horchem	Slosson
Baird	Cessna	Mantz	Smith
Banta	Darting	Mead	Stoddard
Bergman	Dutcher	Newberry	Tuck
Bowman	Fulton	Reed	White
Brookhart	Gilchrist	Rees	Wichman
Brookins	Goodwin	Scott	
Browne	Hale	Shaff	
Buser	Haskell	Shane	

Nays, 2.

Schmedika Snook

Absent or not voting, 11.

Ethell	Kimberly	Olson	Romkey
Hartman	McIntosh	Perkins	Thurston
Johnston	Nelson	Price	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which 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 amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 745, a bill for an act to make appropriation for the payment of state and other expenses.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 572, a bill for an act providing for the support and maintenance of the Iowa National Guard Reservation, Camp Dodge, and making an appropriation therefor.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 674, a bill for an act relating to publication of ordinances.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 461, a bill for an act relating to the attendance of deaf and blind children at state schools.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 630, a bill for an act invalidating certain state warrants and providing for the issuance of new warrants therefor.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 486, a bill for an act to require insurance companies writing the several classes of insurance authorized by sub-division c of section two (2), chapter four hundred twenty-eight (428) acts of the Thirty-seventh General Assembly of Iowa (C. C. 5627-5d) to maintain certain reserves for outstanding losses.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 284, a bill for an act to pension survivors of the Frontier Guards of Mitchell's Cavalry.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Holdoegel, House File No. 831, a bill for an act to provide space for the engineering department of the Iowa state college without making an appropriation therefor, to provide offices for the state highway commission outside of the college buildings, and to provide for the acceptance of real estate donated by the citizens of Ames, was substituted for Senate File No. 748, taken up and considered.

Senator Holdoegel moved that the rule whereby no bill may be read the second and third times the same day be suspended and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Abben	Caldwell	Horchem	Scott
Adams	Dutcher	Mantz	Shaff
Baird	Gilchrist	Newberry	Shane
Banta	Goodwin	Olson	Slosson
Bergman	Hale	Perkins	Stoddard
Bowman	Haskell	Reed	White
Brookins	Holdoegel	Rees	Wichman

Nays, 15.

Brookhart	Cessna	Romkey	Snook
Browne	Johnston	Schmedika	Thurston
Buser	McIntosh	Shinn	Tuck
Campbell	Price	Smith	

Absent or not voting, 7.

Darting	Fulton	Kimberly	Nelson
Ethell	Hartman	Mead	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Holdoegel moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files Nos. 496, 514, 522, 680, 695, 747, 827, 828 and House Joint Resolution No. 6, and Senate Files Nos. 710 and 711.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments to House File 742, a bill for an act relating to water along the highways of the state.

Also, that the House has adopted the conference committee report and the amendments proposed by the committee on Senate File 354, a bill

for an act making appropriations for the erection, repair and improvement of buildings, etc., for state institutions.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 11, a bill for an act relating to the reporter of the supreme court and editor of the code, etc.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 743, a bill for an act to legalize the issuance of funding bonds of the city of Waterloo, Iowa.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 560, a bill for an act relating to insurance other than life.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 665, a bill for an act relating to a zoning commission.

A. C. GUSTAFSON, *Chief Clerk.*

BILLS SENT TO THE GOVERNOR

Senator Gilchrist from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 17th day of April, sent to the governor for his approval, Senate Files Nos. 701, 740, 725, 744 and 525.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

The Senate took a recess.

The Senate reconvened.

HOUSE AMENDMENTS CONSIDERED

Senator Abben called up for consideration Senate File No. 572 amended by the House and moved that the Senate concur in the following amendments:

Amend by striking from lines three (3) and four (4) the words and figures "twenty thousand dollars (\$20,000.00)" and inserting in lieu thereof the words and figures "ten thousand dollars (\$10,000.00)".

Senator Goodwin invoked rule 8.

On the question "Shall the amendments be concurred in?" the vote was:

Ayes, 27.

Abben	Dutcher	Mantz	Shane
Adams	Gilchrist	Newberry	Shinn
Brookins	Goodwin	Price	Smith
Buser	Hale	Rees	Snook
Caldwell	Horchem	Romkey	Thurston
Campbell	Johnston	Schmedika	Tuck
Cessna	McIntosh	Scott	

Nays, none.

Absent or not voting, 23.

Baird	Darting	Kimberly	Shaff
Banta	Ethell	Mead	Slosson
Bergman	Fulton	Nelson	Stoddard
Bowman	Hartman	Olson	White
Brookhart	Haskell	Perkins	Wichman
Browne	Holdoegel	Reed	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Dutcher called up for consideration Senate File No. 11, amended by the House, and moved that the Senate concur in the following amendment:

Amend by striking the words "eight thousand dollars (\$8,000.00)" in section 16, lines four and five, and inserting in lieu thereof the words "five thousand dollars (\$5,000.00)".

On the question "Shall the amendment be concurred in?" the vote was:

Ayes, 28.

Abben	Cessna	McIntosh	Romkey
Adams	Gilchrist	Mantz	Schmedika
Bergman	Goodwin	Nelson	Scott
Brookins	Hale	Newberry	Shane
Buser	Hartman	Price	Shinn
Caldwell	Horchem	Reed	Snook
Campbell	Johnston	Rees	Tuck

Nays, none.

Absent or not voting, 22.

Baird	Browne	Fulton	Mead
Banta	Darting	Haskell	Olson
Bowman	Dutcher	Holdoegel	Perkins
Brookhart	Ethell	Kimberly	Shaff

Slosson
Smith

Stoddard
Thurston

White
Wichman

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Stoddard called up for consideration Senate File No. 745, amended by the House, and moved that the Senate concur in the following amendments:

Amend by adding immediately after line thirty (30) of section one (1) the following: "H. L. Gordon extra salary as bill clerk, \$100.00; ChaS. Lindenau extra salary as file clerk, \$100.00; Don Winterrowd, extra salary as file clerk, \$100.00".

Also amend by changing the amount appropriated to A. V. Brady, in section one (1), from \$29.79 to \$20.79.

Also amend by inserting as section (6) the following:

Sec. 6. To the secretary of agriculture for the purpose of paying expenses of organization and salary of such officer from May 1st, 1923, to July 1st, 1923, the sum of twenty-five hundred (\$2,500.00) dollars.

Also by renumbering section 6 as section 7.

On the question "Shall the amendments be concurred in?" the vote was:

Ayes, 35.

Abben
Adams
Baird
Banta
Bergman
Brookhart
Brookins
Browne
Campbell

Cessna
Dutcher
Ethell
Fulton
Gilchrist
Goodwin
Hale
Hartman
Haskell

Holdoegel
Mantz
Mead
Newberry
Perkins
Price
Romkey
Schmedika
Scott

Shaff
Shane
Shinn
Slosson
Snook
Stoddard
Thurston
White

Nays, none.

Absent or not voting, 15.

Bowman
Buser
Caldwell
Dartling

Horchem
Johnston
Kimberly
McIntosh

Nelson
Olson
Reed
Rees

Smith
Tuck
Wichman

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Price called up for consideration Senate File No. 363,

amended by the House, and moved that the Senate concur in the following amendments:

Amend as follows: That all following the enacting clause be stricken, and the following inserted in lieu thereof:

"Section 1. That the law as it appears in chapter 171, acts of the Thirty-seventh General Assembly (C. C. 8578, 8579 and 8580), be amended, revised and codified, so as to read as follows:

'The sheriff of any county may issue a permit, limited to the time which shall be designated therein, to carry concealed a revolver, pistol or pocket billy, provided that in the judgment of said sheriff such permit shall be necessary for service while on official duty or for legal protection of life or property.

'Each such permit shall, unless revoked by notice in writing sent by registered mail to the permit holder by the sheriff issuing same, expire on December thirty-first, following the issuance.

'The sheriff shall keep a record showing the names and addresses of all persons to whom permits shall have been issued, together with the dates of issuance and expiration of such permits.'

Section 2. That the law as it appears in section forty-seven hundred seventy-five-4a (4775-4a), supplement to the code, 1913 (C. C. 8581, 8582 and 8583), be amended, revised and codified so as to read as follows:

'It shall be the duty of the sheriff to issue to all peace officers a permit to go armed with a revolver, pistol or pocket billy.'

Section 3. That section forty-seven hundred seventy-five-7a (4775-7a), supplement to the code 1913 (C. C. 8584), be amended, revised and codified so as to read as follows:

'No permit shall be granted to any person to go armed as hereinbefore stated, with a revolver, pistol or pocket billy, unless the applicant shall make personal application therefor to the sheriff and the applicant must state his full name, residence, age, and place and nature of his employment or business.

Section 4. That section forty-seven hundred seventy-five-6a (4775-6a), supplement to the code, 1913 (C. C. 8585, 8586 and 8587) be amended, revised and codified so as to read as follows:

'Whenever a permit is issued to any person to carry concealed weapons by virtue of such person being a peace officer, the right of such person to carry any of said weapons shall cease when said person ceases to be a peace officer. The sheriff may at any time revoke any permit issued under and by virtue of this act.'

Section 5. That section forty-seven hundred seventy-five-8a (4775-8a), supplement to the code 1913 (C. C. 8588), be amended by adding to said section the following:

'And such failure by any person not a peace officer in addition to all other crimes now defined by law and arising out of the carrying of concealed weapons, shall constitute a misdemeanor.'

Section 6. That the law as it appears in section forty-seven hundred seventy-five-10a (4775-10a), supplement to the code 1913 (C. C. 8592, 8593 and 8594), be amended by striking the period (.) after the word

"weapons" in line nine (9) of said section and by inserting in lieu thereof the following:

'and the recorder on the receipt of such information shall make a permanent record of the same in a book specially kept for that purpose.' "

Also amend the title by striking the same and substituting the following in lieu thereof: "A bill for an act to amend, revise and codify the law as it appears in chapter one hundred seventy-one (171), acts of the Thirty-seventh General Assmebly, and sections forty-seven hundred seventy-five-4a (4775-4a), forty-seven hundred seventy-five-7a (4775-7a), forty-seven hundred seventy-five-6a (4775-6a), supplement to the code, 1913 (C. C. 8578, 8579, 8580, 8581, 8582, 8583, 8584, 8585, 8586 and 8587), and to amend sections forty-seven hundred seventy-five-8a (4775-8a), forty-seven hundred seventy-five-10a (4775-10a), supplement to the code 1913 (C. C. 8588, 8592, 8593, and 8594), and defining a misdemeanor."

On the question "Shall the amendments be concurred in?" the vote was:

Ayes, 5.

Bergman
Brookhart

McIntosh
Shane

Snook

Nays, 26.

Abben
Adams
Baird
Bowman
Browne
Buser
Caldwell

Campbell
Dutcher
Cessna
Gilchrist
Goodwin
Hale
Hartman

Horchem
Johnston
Mantz
Nelson
Newberry
Price
Reed

Rees
Romkey
Schmedika
Shinn
Snook
Tuck

Absent or not voting, 19.

Banta
Brookins
Darting
Ethell
Fulton

Haskell
Holdoegel
Kimberly
Mead
Olson

Perkins
Scott
Shaff
Slosson
Smith

Stoddard
Thurston
White
Wichman

The House amendments having failed to receive a constitutional majority were declared to have failed to be adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Goodwin, House File No. 388, a bill for an act to provide an appropriation of one hundred fifty dollars (\$150.00) to indemnify John S. Young for loss and damage incurred resulting from colliding with a truck belonging to the capitol exten-

sion department of the State of Iowa, occurring on July 20th, 1922, at East Ninth street and Court avenue, city of Des Moines, was taken up and considered.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was :

Ayes, 40.

Abben	Caldwell	Johnston	Schmedika
Adams	Campbell	McIntosh	Scott
Baird	Cessna	Mantz	Shaff
Banta	Darting	Nelson	Shane
Bergman	Dutcher	Newberry	Shinn
Bowman	Gilchrist	Perkins	Slosson
Brookhart	Goodwin	Price	Snook
Brookins	Hale	Reed	Thurston
Browne	Hartman	Rees	Tuck
Buser	Horchem	Romkey	Wichman

Nays, none.

Absent or not voting, 10.

Ethell	Holdoegel	Olson	White
Fulton	Kimberly	Smith	
Haskell	Mead	Stoddard	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Goodwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Price moved that appropriation bills and salary bills have precedence over all other bills on the call of the calendar until such time as said bills shall have been acted on, when other bills on the calendar be considered, which motion prevailed.

Senator Price moved that the vote by which this motion prevailed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard, Senate File No. 752, by committee on appropriations, a bill for an act making an appropria-

tion for the maintenance and improvement of the state capitol grounds for the biennial period commencing July 1, 1923, and ending June 30, 1925, was taken up and considered.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Abben	Campbell	Newberry	Shinn
Baird	Cessna	Perkins	Slosson
Banta	Fulton	Price	Snook
Bergman	Gilchrist	Reed	Stoddard
Bowman	Hale	Rees	Thurston
Brookhart	Holdoegel	Schmedika	Tuck
Brookins	Horchem	Scott	White
Browne	Mantz	Shaff	Wichman
Caldwell	Mead	Shane	

Nays, 2.

Romkey	Smith
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Absent or not voting, 13.

Adams	Ethell	Johnston	Olson
Buser	Goodwin	Kimberly	
Darting	Hartman	McIntosh	
Dutcher	Haskell	Nelson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Stoddard, Senate File No. 751, by committee on appropriations, a bill for an act making an appropriation to the executive council for the purpose of collecting and tabulating the census for the year 1925 and expenses incident thereto, was taken up and considered.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Caldwell	Mead	Slosson
Baird	Campbell	Nelson	Snook
Banta	Cessna	Newberry	Stoddard
Bergman	Fulton	Reed	Thurston
Bowman	Gilchrist	Rees	Tuck
Brookhart	Hale	Schmedika	White
Brookins	Holdoegel	Shaff	Wichman
Browne	Horchem	Shane	
Buser	Mantz	Shinn	

Nays, none.

Absent or not voting, 16.

Adams	Goodwin	Kimberly	Price
Darting	Hartman	McIntosh	Romkey
Dutcher	Haskell	Olson	Scott
Ethell	Johnston	Perkins	Smith

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Stoddard, Senate File No. 756, a bill for an act making appropriation of funds to enable the railroad commission to carry out the provisions of Senate File three hundred sixty-one (361) as amended Fortieth (40th) General Assembly, was taken up and considered.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben	Caldwell	Nelson	Smith
Adams	Campbell	Newberry	Snook
Baird	Fulton	Price	Stoddard
Banta	Gilchrist	Reed	Thurston
Bergman	Goodwin	Rees	Tuck
Bowman	Hale	Scott	White
Brookhart	Holdoegel	Shaff	Wichman
Brookins	Johnston	Shane	
Browne	Mantz	Shinn	
Buser	Mead	Slosson	

Nays, none.

Absent or not voting, 13.

Cessna	Hartman	McIntosh	Schmedika
Darting	Haskell	Olson	
Dutcher	Horchem	Perkins	
Ethell	Kimberly	Romkey	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Stoddard Senate File No. 757, a bill for an act to make an appropriation for the payment of state and other expenses, was taken up and considered.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking the words and figures "four hundred dollars (\$400.00)" from line 3 of section 4 and inserting in lieu thereof the words and figures "two hundred dollars (\$200.00)".

The amendment was adopted.

The bill was read for information.

Senator Stoddard moved that the rule whereby no bill may be read the second and third time the same day be suspended and that 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, 38.

Abben	Cessna	Mead	Slosson
Adams	Ethell	Newberry	Smith
Baird	Fulton	Olson	Snook
Banta	Gilchrist	Price	Stoddard
Bergman	Goodwin	Reed	Thurston
Bowman	Hale	Rees	Tuck
Brookhart	Hartman	Schmedika	White
Brookins	Haskell	Scott	Wichman
Buser	Holdoegel	Shaff	
Caldwell	Horchem	Shane	
Campbell	Mantz	Shinn	

Nays, 5.

Browne	McIntosh	Nelson	Romkey
Johnston			

Absent or not voting, 7.

Darting
Dutcher

Fulton
Kimberly

Olson
Perkins

Rees

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 386, a bill for an act authorizing courts to require security for the payment of alimony, etc.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 734, a bill for an act providing that the secretary of agriculture shall be a member of the executive council.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 587, a bill for an act relating to legalizing acts.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 490, a bill for an act relating to exemptions of homes for disabled soldiers.

Also, 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 relating to the issuance of teachers' certificates by the board of educational examiners.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 829, a bill for an act relating to the assessment of personal and real property.

A. C. GUSTAFSON, *Chief Clerk.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 469, 281, 702, 715, 753, 739 and 273.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

AFFIDAVIT OF PUBLICATION

State of Iowa, County of Polk, ss.

I, Harry T. Watts, being sworn say that I am business manager of The Des Moines Register, a newspaper of general circulation printed and published in the city of Des Moines, Polk county, Iowa, and that the notice of a bill for an act legalizing certain contracts awarded by the board of supervisors of Des Moines county, Iowa, and the council of the city of Burlington, Iowa, was printed and published in said newspaper in the regular daily edition thereof, for one issue, of April 12th, 1923.

HARRY T. WATTS.

Subscribed and sworn to by the said Harry T. Watts before me and in my presence this 13th day of April, 1923.

(SEAL)

S. R. GRAHAM, *Notary Public*.

The Senate took a recess.

The Senate reconvened.

THIRD READING OF BILLS

On motion of Senator Stoddard Senate File No. 754, 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.

On motion of Senator Reed the Senate went into a committee of the whole for the consideration of Senate File No. 754.

The Senate resumed session, and took up the consideration of Senate File No. 754.

Senator Reed moved that the report of the committee of the whole be adopted.

The motion prevailed.

Senator Reed moved the adoption of the following amendments offered by the committee of the whole:

Amend by striking from line 2 of section 2 the figures "\$6,000.00" and inserting in lieu thereof the figures "\$6,200.00".

Amend by striking the figures "\$2,400.00" from line 3 of section 6 and inserting in lieu thereof the figures "\$2,700.00".

Amend by striking the figures and word "\$960.00 to" wherever they appear in the bill.

Amend by adding the following to section 7:

All special agents or inspectors now employed under the supervision

of the secretary of state in the enforcement of the motor vehicle law and all special agents or inspectors employed under the supervision of the treasurer of state in the enforcement of the provisions of the cigarette law and all special agents or inspectors to be appointed in connection with the supervision and enforcement of the gasoline tax law enacted by the Fortieth General Assembly are hereby transferred to the department of justice and placed under the supervision and control of the attorney general.

All the power and authority now provided by law in connection with the appointment of such special agents and inspectors and all power and authority now vested in the secretary of state and the treasurer of state with respect to the enforcement of the provisions of the cigarette law, motor vehicle law and gasoline tax law through such inspectors is hereby transferred to and imposed upon the attorney general. The term of employment of each employe now employed under the provisions of said law shall cease and terminate on July 1, 1923. The attorney general shall designate and provide a list of the employes with salaries and including necessary clerical help and shall submit such list to the retrenchment and reform committee for approval. The total salaries, exclusive of expenses of such employes shall not exceed the sum of seventy-five thousand (\$75,000.00) dollars. Twenty thousand (\$20,000.00) dollars of such budget shall be paid from the proceeds derived by the state under the provisions of the cigarette law of the state and forty thousand (\$40,000.00) dollars or such part thereof as necessary shall be paid from that portion of the motor vehicle fees set aside for maintenance of the motor vehicle department in the office of the secretary of state and fifteen thousand (\$15,000.00) dollars from the proceeds of that portion of the gasoline tax set aside for the administration of the gasoline tax law of this state. Provided, further, that the attorney general may call upon any peace officer of this state to make reports, inspections and investigations in connection with the enforcement of the motor vehicle and cigarette laws of this state, and failure to make such reports, inspections and investigations shall constitute removable misconduct in office.

Amend by striking out of line 5 of section 7 the figures "2,500.00" and inserting in lieu thereof the figures "\$3,000.00"; and by striking from line 7 of section 7 the figure "3" and inserting in lieu thereof the figure "4".

Amend Senate File No. 754 by striking out of line thirteen (13), section eight (8), the figure "5" and substituting in lieu thereof the figure "6".

Amend by inserting between lines 16 and 17 of section 8 the following: "(forty dollars per month additional when a state agent does not reside at the institution)".

Move to amend by adding after the word "guard" in line thirteen (13), section twelve (12), the following:

"The adjutant general by and with the approval of the Governor is authorized to employ in his office and quartermaster's department such

additional help as may be necessary for such time and such compensation as the Governor may prescribe."

Amend by striking from line 5 of section 13 the figures "\$1,725.00" and inserting in lieu thereof the figures "\$2,325.00".

Amend by striking the figures "\$2000.00" from line 3 of section 15 and inserting in lieu thereof the figures "\$2700.00".

Amend section 18 by striking out the figures "\$1500.00" in lines 3 and 4 respectively, and inserting the figures "\$1800.00" in lieu thereof.

Also amend by striking the figures "\$1500.00" in lines 5 and 6 respectively and inserting in lieu thereof the figures "\$1620.00".

Amend section twenty (20) by inserting between lines four (4) and five (5) thereof, the following:

"One assistant rate clerk.....\$1,920.00

One Assistant rate clerk.....1,800.00"

and by striking out the figure "two (2)" in line twelve (12) and inserting in lieu thereof the figure "three (3)".

Amend by striking out the figures "\$2000.00" appearing in line 3 of section 15, and inserting the figures "\$2,700.00", and by striking out the word "two" appearing in line 5 of section 15 of said bill and by inserting the word "three" in lieu thereof.

Amend section twenty-one (21) by inserting between lines two (2) and three (3), the following:

"One assistant commerce counsel.....\$2,700.00

One law clerk.....2,100.00

One clerk1,500.00"

Amend by striking the figures "\$3,000.00" from line 3 of section 26 and inserting in lieu thereof the figures "\$3300.00".

Amend by changing the figures "25" to "30" in line 5 of section 29 and the word "ninety" to "one hundred twenty" in line 5 of said section.

Amend by adding after line fifteen (15) section thirty-three (33), the following "provided further that each inspector may be required to perform the duties of hotel, oil, food, dairy, cream, butter or other inspections as may be provided under any of the laws of this state relating to the duties of the Secretary of Agriculture".

The amendments were adopted.

Senator Reed moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Abben	Dutcher	Horchem	Shaff
Adams	Fulton	Mantz	Shinn
Baird	Gilchrist	Mead	Slosson
Banta	Goodwin	Newberry	Smith
Bergman	Hale	Olson	Stoddard
Brookins	Hartman	Perkins	Wichman
Caldwell	Haskell	Reed	
Cessna	Holdoegel	Scott	

Nays, 14.

Brookhart	Johnston	Shane	White
Buser	McIntosh	Snook	
Campbell	Romkey	Thurston	
Ethell	Schmedika	Tuck	

Absent or not voting, 6.

Bowman	Darting	Price
Browne	Kimberly	Rees

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Tuck moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard, House File No. 800, a bill for an act to amend section twenty-nine (29), chapter two hundred nine (209), acts of the Thirty-ninth General Assembly, relating to expenses of state fire marshal, with report of committee recommending passage, was taken up and considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the rules be suspended, that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Abben	Fulton	Olson	Snook
Adams	Goodwin	Price	Stoddard
Banta	Hale	Reed	Thurston
Brookins	Hartman	Scott	Tuck
Caldwell	Haskell	Shaff	White
Campbell	Holdoegel	Shane	Wichman
Cessna	Mantz	Shinn	
Dutcher	Mead	Slosson	
Ethell	Newberry	Smith	

Nays, none.

Absent or not voting, 17.

Baird	Buser	Kimberly	Romkey
Bergman	Darting	McIntosh	Schmedika
Bowman	Gilchrist	Nelson	
Brookhart	Horchem	Perkins	
Browne	Johnston	Rees	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files Nos. 273, 710, 711, 281, 469, 702, 715, 753 and 739, and House Files 496, 514, 522, 680, 695, 747, 827, 828 and House Joint Resolution No. 6.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 17th day of April, sent to the Governor for his approval: Senate Files Nos. 273, 710, 711, 281, 469, 702, 715, 753 and 739.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 255, 437, 452, 408, 614, 509 and 532, and House Files Nos. 298, 501, 520, 557, 561, 578, 640, 641, 678, 717 and 761.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

REPORT OF SIFTING COMMITTEE

April 17, 1923.

MR. PRESIDENT: Your sifting committee wish to report the following bill out on the calendar: House File No. 307, as amended.

GEO. B. PERKINS, *Chairman.*

THIRD READING OF BILLS

On motion of Senator Gilchrist, House File No. 651, a bill for an act to amend section four (4), chapter one hundred forty-four (144),

acts of the Thirty-ninth General Assembly. (S. C. C. 4482), relating to exemption from taxation of property of soldiers, sailors, marines, nurses, widows and children of 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 Gilchrist moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Abben	Ethell	Mead	Smith
Adams	Fulton	Nelson	Snook
Banta	Gilchrist	Newberry	Stoddard
Bowman	Goodwin	Olson	Thurston
Brookhart	Hartman	Price	Tuck
Brookins	Haskell	Schmedika	Wichman
Buser	Holdoegel	Scott	
Caldwell	McIntosh	Shinn	
Cessna	Mantz	Slosson	

Nays, none.

Absent or not voting, 17.

Baird	Dutcher	Perkins	Shane
Bergman	Hale	Reed	White
Browné	Horchem	Rees	
Campbell	Johnston	Romkey	
Darting	Kimberly	Shaff	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Caldwell, House File No. 495, a bill for an act to repeal section twenty-five (25) of chapter one hundred seventy-three (173), laws of the Thirty-ninth General Assembly, (supplement to the compiled code, 1921, sec. 1783-a25), also to repeal sections eleven (11), twelve (12), fifteen (15), sixteen (16), seventeen (17) and eighteen (18) of chapter one hundred seventy-three (173), laws of the Thirty-ninth General Assembly, (supplement to the compiled code, 1921, sec. 1783-a11, 1783-a12, 1783-a15, 1783-a16, 1783-a17, and 1783-a18), and enact substitutes therefor; and to amend section twenty-two (22) of chapter one hundred seventy-three (173), laws of the Thirty-ninth

General Assembly, (supplement to the compiled code, 1921, sec. 1783-a22) relating to the manufacture, distribution and use of hog cholera virus and anti-hog cholera serum; and to provide for the regulation of the manufacture, distribution and use of hog-cholera virus, and anti-hog cholera serum, was taken up and considered.

Senator Campbell offered the following amendment and moved its adoption:

Amend by striking out all of section nine (9) of said bill, and by renumbering sections ten (10), eleven (11), and twelve (12), as sections nine (9), ten (10), and eleven (11).

The amendment was adopted.

The bill was read for information.

Senator Caldwell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Bergman	Hale	Nelson	Slosson
Bowman	Hartman	Newberry	Smith
Brookhart	Haskell	Olson	Snook
Caldwell	Holdoegel	Perkins	Thurston
Campbell	Horchem	Schmedika	Tuck
Cessna	Johnston	Scott	Wichman
Darting	McIntosh	Shaff	
Ethell	Mantz	Shane	
Gilchrist	Mead	Shinn	

Nays, 2.

Adams	Browne
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Absent or not voting, 15.

Abben	Buser	Kimberly	Romkey
Baird	Dutcher	Price	Stoddard
Banta	Fulton	Reed	White
Brookins	Goodwin	Rees	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Caldwell moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF SIFTING COMMITTEE

April 17, 1923.

MR. PRESIDENT: Your sifting committee wish to place the following bills on the calendar: House Files Nos. 728, 765, 778, 559, 767.

GEO. B. PERKINS, *Chairman*.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: House Files Nos. 298, 501, 520, 557, 561, 578, 640, 641, 678, 717 and 761.

MESSAGES 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. 714, a bill for an act to legalize taxes heretofore paid, or assessed upon the shares of national, state or savings banks.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 604, a bill for an act relating to the expenditure of county funds.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 615, a bill for an act relating to the board of engineering examiners.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 667, a bill for an act relating to the taxation, licensing and controlling of dogs.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 722, a bill for an act relating to the duties of the state entomologist, the quarantine of plant diseases, etc.

A. C. GUSTAFSON, *Chief Clerk*.

THIRD READING OF BILLS

On motion of Senator Newberry, House File No. 767, a bill for an act to amend the law as it appears in section 1481-a26, supplement to the code, 1913, and to amend section 2 of chapter 38, acts of the Thirty-ninth General Assembly as amended by chapter 164, acts of the Thirty-ninth General Assembly; to repeal section 4 of chapter

38, acts of the Thirty-ninth General Assembly, and to enact a substitute in lieu thereof; and to amend the law as it appears in chapter 4 title VII, supplement to the code 1913, and chapters 38 and 164, acts of the Thirty-ninth General Assembly, relating to the assessment and collection of taxes upon the devises, bequests, legacies, gifts, and other transfers of property subject to the imposition of an inheritance tax; and to make further provision for rates of taxation and exemptions; and to provide for the making of certain reports and providing penalties for failure to make said reports; and to make other provisions for collection of inheritance tax and to provide for compensating county attorneys for special services rendered in connection with the collection of said tax, was taken up and considered.

Senator Newberry moved that the bill be rereferred to the sifting committee.

Senator Buser raised the point of order that the bill was not regularly before the Senate for consideration.

The President held the point not well taken.

Senator Perkins moved to amend Senator Newberry's motion by making it include House Files Nos. 778, 765, 728 and 559.

Senator Newberry withdrew his motion.

Senator Campbell moved that House Files Nos. 767, 778, 765, 728 and 559 be rereferred to the sifting committee.

Senator Price raised the point of order that he had made a motion previously this same legislative day to rerefer all bills except appropriation bills, salary bills and committee bills to the sifting committee which would have to be reconsidered before this motion could be considered.

The President held the point not well taken.

Senator Smith moved as a substitute motion that the reading just had be considered its third reading and the bill be placed on its passage.

Rule 8 was invoked.

On the question "Shall the substitution be made?" the vote was:

Ayes, 18.

Abben	Caldwell	McIntosh	Shaff
Bergman	Dutcher	Mantz	Shinn
Bowman	Gilchrist	Price	Smith
Brookhart	Hale	Reed	Wichman
Brookins	Holdoegel		

Nays, 28.

Adams	Fulton	Newberry	Slosson
Baird	Goodwin	Olson	Snook
Browne	Hartman	Perkins	Stoddard
Buser	Haskell	Romkey	Thurston
Cessna	Horchem	Schmedika	Tuck
Darting	Johnston	Scott	White
Ethell	Nelson	Shane	

Absent or not voting, 4.

Banta	Kimberly	Mead	Rees
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The motion to substitute was lost.

Senator Brookhart offered the following amendment to Senator Campbell's motion and moved its adoption:

Amend by striking therefrom the figures 778, 765, 728 and 559.

The amendment was lost.

On the question "Shall the motion prevail?" the vote was:

Ayes, 30.

Abben	Ethell	Johnston	Shinn
Adams	Fulton	McIntosh	Slosson
Baird	Gilchrist	Nelson	Smith
Bergman	Goodwin	Perkins	Snook
Brookhart	Hartman	Price	Stoddard
Buser	Haskell	Romkey	Thurston
Campbell	Holdoegel	Scott	
Cessna	Horchem	Shane	

Nays, 12.

Bowman	Dutcher	Newberry	Shaff
Brookins	Hale	Olson	White
Caldwell	Mantz	Reed	Wichman

Absent or not voting, 8.

Banta	Darting	Mead	Schmedika
Browne	Kimberly	Rees	Tuck

The motion to re-refer prevailed.

On motion of Senator Goodwin, House File No. 307, a bill for an act to amend sections 13, 14, 17, 18, and 36 of chapter 237 of the acts of the 38th General Assembly, and acts amendatory thereto, relating to the amount of assessment that may be levied against abutting and adjacent property for the hard surfacing of a primary road, was taken up and considered.

The sifting committee offered the following amendment and moved its adoption:

Amend House File No. 307 by adding thereto as section 6, the following:

Sec. 6. In all cases where assessments of 25% for hard surfacing have heretofore been levied against adjoining property under the provisions of chapter two hundred thirty-seven (237) of the Thirty-eighth General Assembly and amendments thereto, and such assessments have either been paid or certificates issued to cover deferred installments, all of the same over and above 12½% shall be refunded to such parties out of the motor vehicle portion of the primary fund allotment to the counties in which such levies were made or out of the funds arising from the sale of primary road bonds or other bonds voted by such counties. The board of supervisors may determine whether such refund shall be made in one sum or in annual installments not exceeding ten and in no case shall interest be allowed on the amounts so refunded.

In case of sale of such adjoining lands prior to making such refund and such assessments have not been paid in full, the same shall be paid to the parties interested in proportion to the amount paid or assumed by them respectively or as may be agreed between such parties at the time such refund is made.

Also amend by renumbering section 6 as section 7.

The amendment was adopted.

The bill was read for information.

Senator Goodwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Abben	Campbell	Holdoegel	Scott
Adams	Dutcher	Horchem	Shaff
Baird	Fulton	McIntosh	Shane
Bergman	Gilchrist	Mantz	Slosson
Bowman	Goodwin	Newberry	Snook
Brookins	Hale	Olson	Stoddard
Buser	Hartman	Perkins	Wichman
Caldwell	Haskell	Reed	

Nays, 5.

Browne
Nelson

Romkey

Schmedika

Thurston

Absent or not voting, 14.

Banta
Brookhart
Cessna
Darting

Ethell
Johnston
Kimberly
Mead

Price
Rees
Shinn
Smith

Tuck
White

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bowman moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 532, 614, 408, 452, 437, 255 and 509.

INTRODUCTION OF BILLS

Senate File No. 757, by committee on appropriations, a bill for an act to make an appropriation for the payment of state and other expenses.

Read first and second times and placed on the calendar.

Senate File No. 758, by sifting committee, a bill for an act to so amend Senate File Number five hundred sixty-three (563), approved by the Governor March 20, 1923, that said act will take effect on publication.

Read first and second times and placed on the calendar.

Senate File No. 759, by Senator Caldwell, a bill for an act to amend Senate File 273 of the acts of the Fortieth General Assembly, relating to the imposition and collection of a gasoline tax and the distribution of the same.

Introduced under suspension of the rules, and read first and second times.

MESSAGES 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. 668, a bill for an act making an appropriation to compensate Dr. John W. Martin for professional services rendered to C. W. Adams while a member of the National Guard.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 749, a bill for an act to make appropriation for the payment of state and other expenses.

Also, 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 to permit and authorize the filing of notices of lines for taxes in favor of the United States of America.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 757, a bill for an act to make appropriation for the payment of state and other expenses.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 751, a bill for an act making an appropriation to the executive council for the purpose of collecting and tabulating the census for the year 1925 and expenses incident thereto.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 756, a bill for an act making appropriation of funds to enable the railroad commission to carry out the provisions of Senate File 361 as amended by the Fortieth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Thurston, Senate File No. 677 a bill for an act to repeal section one thousand three hundred five (1305) of the supplement to the code 1913, (C. C. sec. 4584) and to enact a substitute therefor relating to the valuation of property for purposes of taxation, was taken up and considered.

Senator Ethell moved the previous question, which motion prevailed and the previous question was ordered.

The bill was read for information.

Senator Thurston moved that the reading just had be considered the third reading, which motion prevailed.

Senator Thurston invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 13.

Bowman	Cessna	Nelson	Shinn
Brookhart	Darting	Romkey	Thurston
Browne	Gilchrist	Schmedika	
Campbell	McIntosh	Shane	

Nays, 17.

Abben	Dutcher	Horchem	Snook
Adams	Goodwin	Newberry	Stoddard
Baird	Hale	Perkins	
Bergman	Hartman	Shaff	
Buser	Holdoegel	Smith	

Absent or not voting, 20.

Banta	Haskell	Olson	Slosson
Brookins	Johnston	Price	Tuck
Caldwell	Kimberly	Reed	White
Ethell	Mantz	Rees	Wichman
Fulton	Mead	Scott	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

REPORT OF SIFTING COMMITTEE

April 17, 1923.

MR. PRESIDENT: Your sifting committee beg to report the following bills out on the calendar:

House Files 765, Letts; 728, Peterson.

GEO. B. PERKINS, *Chairman*.

The Senate took a recess.

The Senate reconvened.

HOUSE AMENDMENTS CONSIDERED

Senator Holdoegel called up for consideration Senate File No. 604 amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File No. 604 by adding an additional paragraph to section 2 as follows:

"(8) To expenditures from the county general fund legally payable from that fund and contracted prior to January 1st, 1924."

Senator Holdoegel invoked rule 8.

On the question "Shall the amendments be concurred in?" the vote was:

Ayes, 27.

Adams	Ethell	Horchem	Shane
Baird	Glichrist	McIntosh	Shinn
Downman	Goodwin	Mantz	Snook
Brookhart	Hale	Newberry	Stoddard
Brookings	Hartman	Rees	White
Campbell	Haskell	Scott	Wichman
Cessna	Holdoegel	Shaff	

Nays, 5.

Browne	Nelson	Romkey	Schmedika
Buser			

Absent or not voting, 18.

Abben	Dutcher	Olson	Smith
Banta	Fulton	Perkins	Thurston
Bergman	Johnston	Price	Tuck
Caldwell	Kimberly	Reed	
Darting	Mead	Slosson	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Holdoegel moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Wichman called up for consideration Senate File No. 386, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

"Section 1. That section thirty-one hundred eighty (3180) of the code (C. C. 6629) be, and the same is hereby amended by inserting after the word 'right' in line three (3) thereof the following:

"If any party against whom such decree has been entered, shall wilfully disobey the same or secrete his property, he may be cited and punished by the court for contempt'."

Amend the title by substituting in lieu thereof the following:

"A bill for an act to amend section thirty-one hundred eighty (3180) of the code (C. C. 6629), relating to divorce, separate maintenance and support of parties and children and punishment for failing to obey certain orders of court."

On the question "Shall the amendments be concurred in?" the vote was:

Ayes, 29.

Adams	Darting	Nelson	Snook
Baird	Fulton	Newberry	Stoddard
Bowman	Goodwin	Perkins	Tuck
Brookhart	Hale	Romkey	White
Brookins	Holdoegel	Schmedika	Wichman
Buser	Horchem	Scott	
Campbell	McIntosh	Shaff	
Cessna	Mantz	Shane	

Nays, none.

Absent or not voting, 21.

Abben	Ethell	Mead	Slosson
Banta	Gilchrist	Olson	Smith
Bergman	Hartman	Price	Thurston
Browne	Haskell	Reed	
Caldwell	Johnston	Rees	
Dutcher	Kimberly	Shinn	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 630, 461, 560, 486, 743, 284, 665, 587, 572, 674, 524, 490 and 734.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

THIRD READING OF BILLS

On motion of Senator McIntosh, House File No. 690, a bill for an act to amend the law as it appears in section two thousand seven hundred seventy-three (2773) supplement to the code, 1913, as amended by chapters twenty-four (24), one hundred forty-three (143), one hundred sixty (160) acts of the Thirty-eighth General Assembly (C. C. 2639), relating to the transportation of pupils in school districts, was taken up and considered.

The bill was read for information.

Senator McIntosh moved that the rules whereby no bill may be read the second and third times the same day 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, 28.

Baird	Darting	Mantz	Shaff
Banta	Fulton	Nelson	Shane
Bowman	Goodwin	Newberry	Shinn
Brookhart	Hale	Perkins	Snook
Buser	Hartman	Romkey	Stoddard
Campbell	Horchem	Schmedika	Tuck
Cessna	McIntosh	Scott	Wichman

Nays, 1.

Ethell

Abstent or not voting, 21.

Abben	Dutcher	Mead	Smith
Adams	Gilchrist	Olson	Thurston
Bergman	Haskell	Price	White
Brookins	Holdoegel	Reed	
Browne	Johnston	Rees	
Caldwell	Kimberly	Slosson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Perkins Senate File No. 758, a bill for an act to amend Senate File five hundred sixty-three (563), approved by the Governor March 20, 1923, that said act will take effect on publication, was taken up and considered.

The bill was read for information.

Senator Perkins 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	Brookhart	Buser	Darting
Baird	Brookins	Campbell	Dutcher
Banta	Browne	Cessna	Ethell

Fulton	Johnston	Rees	Slosson
Gilchrist	McIntosh	Romkey	Stoddard
Goodwin	Mantz	Schmedika	Tuck
Hale	Nelson	Scott	White
Hartman	Newberry	Shaff	Wichman
Holdoegel	Perkins	Shane	
Horchem	Price	Shinn	

Nays, none.

Absent or not voting, 12.

Abben	Caldwell	Mead	Smith
Bergman	Haskell	Olson	Snook
Bowman	Kimberly	Reed	Thuston

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 224, 388, 560, 573, 634, 651, 742, 800, 816 and 831.

F. C. GILCHRIST, *Chairman Senate Committee.*
C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate Senate Files Nos. 734, 524, 490, 674, 572, 284, 743, 486, 560, 461, 630 and 587.

THIRD READING OF BILLS

On motion of Senator Goodwin, House File No. 829, a bill for an act to amend section thirteen hundred fifty (1350) of the code (C. C. 4493), relating to the assessment of personal and real property, was substituted for Senate File No. 750, taken up and considered.

Senator Price moved that further action on this bill be deferred until the extra session.

Senator Price withdrew his motion.

Senator Price offered the following amendment and moved its adoption:

Amend by inserting in line 5 of section 1 after the word "lease" the words "held by a corporation".

The amendment was lost.

The bill was read for information.

Senator Goodwin 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.

Abben	Dutcher	McIntosh	Shane
Adams	Ethell	Mantz	Shinn
Baird	Fulton	Mead	Slosson
Banta	Gilchrist	Nelson	Smith
Bergman	Goodwin	Newberry	Stoddard
Bowman	Hale	Perkins	Thurston
Brookhart	Hartman	Reed	Tuck
Buser	Haskell	Rees	White
Campbell	Holdoegel	Schmedika	Wichman
Cessna	Horchem	Scott	
Darting	Johnston	Shaff	

Nays, 2.

Price Snook

Absent or not voting.

Brookins	Caldwell	Olson
Browne	Kimberly	Romkey

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Goodwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent Senator Goodwin withdrew Senate File No. 750 from further consideration.

On motion of Senator Snook, House File No. 609, a bill for an act making appropriation to reimburse Lee county, Iowa, on prison breach cases tried between the dates of April 10, 1918, and April 13, 1920, was taken up and considered.

The bill was read for information.

Senator Snook 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, 45.

Abben	Cessna	Mantz	Shane
Adams	Darting	Mead	Shinn
Baird	Ethell	Nelson	Slosson
Banta	Fulton	Newberry	Snook
Bergman	Gilchrist	Olson	Stoddard
Bowman	Goodwin	Perkins	Thurston
Brookhart	Hale	Price	Tuck
Brookins	Haskell	Rees	White
Browne	Holdoegel	Romkey	Wichman
Buser	Horchem	Schmedika	
Caldwell	Johnston	Scott	
Campbell	McIntosh	Shaff	

Nays, none.

Absent or not voting.

Dutcher	Kimberly	Reed	Smith
Hartman			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Brookhart, House File No. 728, a bill for an act to amend section fifteen (15), chapter one hundred twenty-two (122), laws of the Thirty-ninth General Assembly (S. C. C. 5408-a15), relating to annual reports of cooperative associations, was taken up and considered.

The bill was read for information.

Senator Brookhart 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.

Abben	Brookhart	Darting	Hale
Adams	Brookins	Dutcher	Hartman
Baird	Browne	Ethell	Haskell
Banta	Buser	Fulton	Holdoegel
Bergman	Campbell	Gilchrist	Horchem
Bowman	Cessna	Goodwin	Johnston

McIntosh	Price	Shane	Stoddard
Mead	Reed	Shinn	Thurston
Nelson	Rees	Slosson	Tuck
Newberry	Romkey	Smith	White
Perkins	Schmedika	Snook	Wichman

Nays, none.

Absent or not voting, 6.

Caldwell	Mantz	Scott
Kimberly	Olson	Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Brookhart moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Brookhart, House File No. 765, a bill for an act to amend chapter 89, acts of the Thirty-ninth General Assembly, relating to the expenditure of moneys for cemetery purposes, was taken up and considered.

The bill was read for information.

Senator Brookhart 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.

Abben	Cessna	McIntosh	Shane
Adams	Ethell	Mead	Shinn
Baird	Fulton	Nelson	Slosson
Banta	Gilchrist	Newberry	Smith
Bergman	Goodwin	Perkins	Snook
Brookhart	Hale	Reed	Stoddard
Brookins	Hartman	Rees	Thurston
Browne	Holdoegel	Romkey	Tuck
Buser	Horchem	Schmedika	White
Campbell	Johnston	Shaff	Wichman

Nays, 1.

Price

Absent or not voting, 9.

Bowman	Dutcher	Mantz	Scott
Caldwell	Kimberly	Olson	Haskell
Darting			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Brookhart moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Tuck House File No. 382, a bill for an act to amend chapter one hundred forty (140) acts of the Thirty-ninth General Assembly (C. C. Ch. 2, Tit. XII) relating to the taxation, licensing and controlling of dogs, and relieving certain officers from responsibility for the collection of fees in relation thereto, was taken up and considered.

The bill was read for information.

Senator Tuck 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	Ethell	Newberry	Snook
Baird	Gilchrist	Perkins	Stoddard
Banta	Hale	Price	Thurston
Bergman	Hartman	Reed	Tuck
Brookhart	Haskell	Rees	White
Brookins	Horchem	Schmedika	Wichman
Browne	Johnston	Shane	
Caldwell	McIntosh	Slosson	
Campbell	Nelson	Smith	

Nays, 5.

Bergman	Cessna	Goodwin
Buser	Dutcher	Shaff

Absent or not voting, 12.

Abben	Fulton	Mantz	Romkey
Bowman	Holdoegel	Mead	Scott
Darting	Kimberly	Olson	Shinn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Tuck moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Schmedika, House File No. 666, a bill for an act conferring powers and duties upon township trustees to make certain regulations with reference to the prohibition and licensing of theaters, shows, pool and billiard halls and bowling alleys within their townships, providing a penalty for the violation of the law and repealing chapter three hundred fifty-eight (358), acts of the Thirty-seventh General Assembly (C. C. 3136, 3137), was taken up and considered.

The bill was read for information.

Senator Schmedika 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	Goodwin	Newberry	Slosson
Banta	Hartman	Price	Smith
Bergman	Haskell	Reed	Snook
Brookhart	Holdoegel	Rees	Stoddard
Buser	Johnston	Romkey	Thurston
Campbell	McIntosh	Schmedika	Tuck
Cessna	Mead	Shaff	
Ethell	Nelson	Shinn	

Nays, 2.

Gilchrist	Wichman
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Absent or not voting, 18.

Abben	Caldwell	Horchem	Scott
Baird	Darting	Kimberly	Shane
Bowman	Dutcher	Mantz	White
Brookins	Fulton	Olson	
Browne	Hale	Perkins	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Newberry moved that the vote by which the bill passed be reconsidered, which motion prevailed.

The vote by which the bill passed to its third reading was reconsidered.

Further action deferred.

Senator Brookins moved that action on Senate File No. 741 be deferred until another session.

Senator Price raised the point of order that the Senate had no jurisdiction over the attorney general.

The President held the point well taken.

Senator Shane moved the previous question, which motion prevailed and the previous question was ordered.

Senator Campbell invoked rule 8.

On the question "Shall the motion prevail?" the vote was:

Ayes, 31.

Abben	Dutcher	McIntosh	Shaff
Adams	Fulton	Mantz	Shane
Baird	Goodwin	Mead	Slosson
Banta	Hale	Newberry	Smith
Bergman	Hartman	Perkins	Snook
Bowman	Haskell	Rees	Stoddard
Brookins	Holdoegel	Schmedika	Wichman
Darting	Horchem	Scott	

Nays, 16.

Brookhart	Cessna	Nelson	Shinn
Browne	Ethell	Price	Thurston
Buser	Gilchrist	Reed	Tuck
Campbell	Johnston	Romkey	White

Absent or not voting, 3.

Caldwell	Kimberly	Olson
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The motion prevailed.

On motion of Senator Newberry, House File No. 437, a bill for an act to amend section thirty-five (35), chapter two hundred thirty-seven (237), laws of the Thirty-eighth (38th) General Assembly (C. C. 2943), as amended by chapter fifty-six (56), laws of the Thirty-ninth (39th) General Assembly, relating to the construction, improvement and maintenance of highways within towns on the primary road system, was taken up and considered.

The bill was read for information.

Senator Wichman 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.

Abben	Campbell	Horchem	Slosson
Adams	Darting	Mantz	Snook
Bajrd	Dutcher	Mead	Stoddard
Banta	Gilchrist	Newberry	Thurston
Bowman	Goodwin	Perkins	Tuck
Brookhart	Hartman	Scott	White
Brookins	Haskell	Shaff	Wichman
Caldwell	Holdoegel	Shane	

Nays, 7.

Bergman	Nelson	Romkey	Shinn
Cessna	Price	Smedika	

Absent or not voting, 12.

Browne	Fulton	Kimberly	Reed
Buser	Hale	McIntosh	Rees
Ethell	Johnston	Olson	Smith

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 667, 371, 751, 668, 756, 722, 11, 615, 745, 354 and 665.

F. C. GILCHRIST, *Chairman Senate Committee.*
C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files Nos. 665, 722, 756, 668, 667, 371, 751, 615, 745, 354 and 11, and House Files 224, 388, 560, 573, 634, 651, 800, 742, 816 and 831.

THIRD READING OF BILLS

On motion of Senator Mantz, House Joint Resolution No. 10, joint resolution providing for the appointment of a joint committee of the House and Senate for the purpose of considering the advisability of coordinating the work of the State University, the College of Agriculture and Mechanic Arts, and the State Teachers College, and report on the advisability of eliminating duplication of work in these institutions, and making such other recommendations as may be deemed advisable for the efficient and economical administration and management of these three educational institutions, was taken up and considered.

Senator Shaff offered the following amendment and moved its adoption:

Amend by striking the words "four members of the Senate and four of the House of Representatives" and insert in lieu thereof the words "all members of the legislature".

The amendment was lost.

The resolution was read for information.

Senator Mantz moved that the rules be suspended and the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the resolution pass?" the vote was:

Ayes, 20.

Abben	Fulton	Price	Slosson
Bergman	Hartman	Rees	Snook
Brookins	Mantz	Romkey	Tuck
Buser	Nelson	Shane	White
Ethell	Newberry	Shinn	Wichman

Nays, 20.

Adams	Caldwell	Haskell	Perkins
Baird	Cessna	Holdoegel	Reed
Banta	Dutcher	Horchem	Schmedika
Bowman	Gilchrist	Mead	Shaff
Brookhart	Goodwin	Olson	Smith

Absent or not voting, 10.

Browne	Hale	McIntosh	Thurston
Campbell	Johnston	Scott	
Darting	Kimberly	Stoddard	

The resolution having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Newberry House File No. 757, a bill for an act to designate and set apart the twenty-first day of March as Bird Day and to provide for the observance of the same in public schools, was taken up and considered.

The bill was read for information.

Senator Newberry moved that the rules be suspended and the reading just had be considered the third reading, which motion prevailed.

Senator Newberry invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Abben	Gilchrist	Newberry	Shaff
Baird	Hartman	Perkins	Shane
Bowman	Holdoegel	Price	Shinn
Brookins	Horchem	Reed	Snook
Caldwell	Johnston	Rees	Tuck
Campbell	Mead	Romkey	Wichman
Fulton	Nelson	Scott	

Nays, 10.

Banta	Cessna	Olson	Smith
Bergman	Goodwin	Schmedika	Thurston
Brookhart	Mantz		

Absent or not voting, 13.

Adams	Darting	Haskell	Slosson
Browne	Ethell	Kimberly	Stoddard
Buser	Hale	McIntosh	White

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Newberry moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Buser, House File No. 815, a bill for an act to repeal the law as it appears in chapter two-b (2-b), title XIV, supplement to the code, 1913, and chapters one hundred sixty-five (165) and two hundred sixteen (216), acts of the Thirty-seventh

General Assembly and all acts amendatory thereof, relating to the drainage of meandered lakes and to the sale of lake beds and to enact a substitute therefor and making an appropriation to pay any expenses incurred under the act, was taken up and considered.

The bill was read for information.

Senator Buser moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Abben	Ethell	Mantz	Schmedika
Banta	Fulton	Mead	Scott
Bergman	Gilchrist	Nelson	Shaff
Brookhart	Hale	Newberry	Shane
Buser	Hartman	Olson	Shinn
Caldwell	Haskell	Price	Slosson
Campbell	Horchem	Reed	Snook
Cessna	Johnston	Rees	Tuck
Dutcher	McIntosh	Romkey	Wichman

Nays, 1.

Holdoegel

Absent or not voting, 13.

Adams	Browne	Perkins	White
Baird	Darting	Smith	
Bowman	Goodwin	Stoddard	
Brookins	Kimberly	Thurston	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Caldwell House File No. 533, a bill for an act to amend section two (2), chapter two hundred thirty (230), acts of the Thirty-ninth General Assembly, relating to paving extension of primary roads within cities, was taken up and considered.

The bill was read for information.

Senator Caldwell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Abben	Campbell	McIntosh	Scott
Adams	Dutcher	Mantz	Shaff
Banta	Gilchrist	Mead	Shane
Bowman	Goodwin	Nelson	Slosson
Brookhart	Hale	Newberry	Snook
Brookins	Hartman	Price	Tuck
Buser	Haskell	Reed	Wichman
Caldwell	Horchem	Schmedika	

Nays, 3.

Johnston	Rees	Romkey
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Absent or not voting, 16.

Baird	Darting	Kimberly	Smith
Bergman	Ethell	Olson	Stoddard
Browne	Fulton	Perkins	Thurston
Cessna	Holdoegel	Shinn	White

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Caldwell, House File No. 574, a bill for an act to amend sections sixteen (16) and twenty (20) chapter two hundred seventy-five (275), acts of the Thirty-eighth (38) General Assembly, (C. C. sections 3059 and 3063) relating to delinquent motor vehicle fees and defacement of license plates, was taken up and considered.

The bill was read for information.

Senator Caldwell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Abben	Campbell	Horchem	Schmedika
Adams	Dutcher	Johnston	Scott
Baird	Ethell	McIntosh	Shaff
Banta	Gilchrist	Mead	Slosson
Bergman	Goodwin	Nelson	Smith
Bowman	Hale	Newberry	Snook
Brookhart	Hartman	Olson	Wichman
Brookins	Haskell	Reed	
Caldwell	Holdoegel	Rees	

Nays, 1.

Tuck

Absent or not voting, 15.

Browen	Fulton	Price	Stoddard
Buser	Kimberly	Romkey	Thurston
Cessna	Mantz	Shane	White
Darting	Perkins	Shinn	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Caldwell, Senate File No. 759, a bill for an act to amend Senate File No. 273 of the acts of the Fortieth General Assembly, relating to the imposition and collection of a gasoline tax and the distribution of the same, was taken up and considered.

The bill was read for information.

Senator Caldwell 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, 26.

Abben	Darting	Mead	Slosson
Adams	Dutcher	Newberry	Smith
Baird	Gilchrist	Olson	Snook
Banta	Goodwin	Reed	Thurston
Bowman	Hartman	Scott	Wichman
Brookins	Holdoegel	Shaff	
Caldwell	Horchem	Shane	

Nays, 4.

Bergman	McIntosh	Price	Rees
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Absent or not voting, 20.

Brookhart	Ethell	Kimberly	Schmedika
Browne	Fulton	Mantz	Shinn
Buser	Hale	Nelson	Stoddard
Campbell	Haskell	Perkins	Tuck
Cessna	Johnston	Romkey	White

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Caldwell moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Caldwell, House File No. 599, a bill for an act to amend section two (2), chapter one hundred seventy-three (173), acts of the Thirty-ninth General Assembly, relating to the sale of anti-hog cholera serum and virus and biological products, was taken up and considered.

Senator Mantz offered the following amendment and moved its adoption:

Amend House File 599 by adding the following:

"Sec. 2. That section eight (8) of chapter one hundred seventy-three (173), acts of the Thirty-ninth General Assembly, be and the same is hereby amended by adding at the end of said section the following:

" 'In all actions brought against manufacturers, dealers, or the surety on a dealer's bond, for damages resulting from negligence in the manufacture, warehousing, handling, or distribution of biological products, the burden of proof to establish his freedom from negligence shall rest upon the party claiming damage to show his freedom from contributory negligence; and an outbreak of cholera resulting in the damages complained of, and occurring without fault of plaintiff, subsequent to "simultaneous treatment" with serum and virus furnished by defendant dealer or manufacturer, shall be prima-facie evidence of negligence on the part of the manufacturer or dealer in the manufacture, warehousing, handling, or distribution of such serum or virus.' "

The amendment was lost.

The bill was read for information.

Senator Caldwell moved that the reading just had be considered the third reading, which motion prevailed.

Senator Caldwell invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Abben	Caldwell	Johnston	Smith
Baird	Cessna	McIntosh	Snook
Banta	Dutcher	Mead	Stoddard
Bergman	Gilchrist	Olson	Thurston
Bowman	Goodwin	Perkins	Tuck
Brookhart	Hartman	Scott	Wichman
Brookins	Holdoegel	Shaff	
Buser	Horchem	Shinn	

Nays, 11.

Adams	Hale	Price	Romkey
Browne	Mantz	Reed	Schmedika
Fulton	Nelson	Rees	

Absent or not voting, 9.

Campbell	Haskell	Shane
Darting	Kimberly	Slosson
Ethell	Newberry	White

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Banta House File No. 697, a bill for an act to amend section twenty-four hundred sixty-eight-o (2468-o), supplement to the code, 1913, (C. C. 1052), relating to the allowance paid by the state fire marshal for reporting fires, was taken up and considered.

The bill was read for information.

Senator Banta moved that the reading just had be considered the third reading, which motion prevailed.

Senator Banta invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 26.

Abben	Gilchrist	Newberry	Shaff
Baird	Goodwin	Olson	Shane
Banta	Hartman	Perkins	Stoddard
Bowman	Holdoegel	Rees	Tuck
Caldwell	Horchem	Romkey	Wichman
Dutcher	Mantz	Schmedika	
Fulton	Mead	Scott	

Nays, 15.

Adams	Cessna	Price	Smith
Bergman	Hale	Reed	Snook
Browne	McIntosh	Shinn	Thurston
Buser	Nelson	Slosson	

Absent or not voting, 9.

Brookhart	Darting	Haskell	Kimberly
Brookins	Ethell	Johnston	White
Campbell			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

The Senate took a recess.

Senate reconvened.

CONFERENCE REPORT ON SENATE FILE 458

Senator Stoddard filed the following report:

To the President of the Senate and Speaker of the House of the Fortieth General Assembly of Iowa:

We, the undersigned members of your joint conference committee appointed to consider Senate File 458, beg leave to report that we have had the same under consideration and are unable to agree upon a report.

B. M. STODDARD.
J. E. WICHMAN.
J. L. BROOKHART.
FRANK SHANE.
C. F. CLARK.
OSCAR ULSTAD.
E. P. HARRISON.
ALFRED WILLIAMS.

The report was received and passed on file.

Senator Price moved that the Senate recede from its amendments to Senate File No. 458.

Senator Wichman raised the point of order that the Senate had already acted on the question of receding from its amendment to the House amendment.

The President held the point not well taken.

On motion of Senator Brookhart House File No. 823, a bill for an act to provide the procedure for apportioning a tax on specific real estate when the title to different portions of said real estate has, after assessment and levy become vested in different parties in severalty, was taken up and considered.

The bill was read for information.

Senator Thurston moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Abben .	Cessna	Nelson	Smith
Adams	Darting	Newberry	Snook
Baird	Ethell	Olson	Stoddard
Bergman	Goodwin	Perkins	Thurston
Brookhart	Hartman	Price	Tuck
Brookins	Holdoegel	Reed	White
Browne	Horchem	Schmedika	Wichman
Buser	Johnston	Shane	
Caldwell	McIntosh	Shinn	
Campbell	Mead	Slosson	

Nays, 2.

Gilchrist Fulton

Absent or not voting, 11.

Banta
Bowman
Dutcher

Hale
Haskell
Kimberly

Mantz
Rees
Romkey

Scott
Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills:

House Files Nos. 495, 690, 609, 728, 765, 829 and Senate Files Nos. 604, 757, 749 and 386.

On motion of Senator Kimberly, Senator Price was excused from the call of the Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files Nos. 382, 437, 533, 574, 599, 697, 757, 815; Senate Files Nos. 386, 604, 757 and 749; and House Files Nos. 495, 690, 609, 728, 765 and 829.

F. C. GILCHRIST, *Chairman Senate Committee.*
C. F. LETTS, *Chairman House Committee.*

Report adopted.

CONFERENCE COMMITTEE ON S. F. 458.

Senator Price moved that a second conference committee be appointed on Senate File 458, which motion prevailed.

The President appointed as members of such committee on the part of the Senate, Senators Shaff, Hartman, Holdoegel and Brookins.

HOUSE AMENDMENTS CONSIDERED

Senator Reed called up for consideration Senate File No. 754 amended by the House, and moved that the Senate concur in the following amendments:

HOUSE AMENDMENTS TO SENATE FILE 754

Amend section 3 as follows:

Insert before the figures "\$1200.00" in line 11 the figures and word "960 to".

Amend section 4 as follows:

Insert before the figures "\$1200.00" in line 11 the figures and word "\$960.00 to".

Strike out the word "necessary" where it first appears in line 14.

Strike out the figures "\$2400.00" in line 3 and insert in lieu thereof the figures "2700.00".

Amend section 5 as follows:

Insert before figures "1,200.00" in line 11 the figures and word "960.00 to".

Insert before the figures "1,200.00" in lines 21 and 28 the figures and word "960.00 to".

Insert after line 14 the following: "For additional clerical assistance and contingent, "1,200.00".

Add after the word "stenographers" in lines 21 and 28 the word "each".

Amend section 6 as follows: Amend lines 12 and 13 by inserting before the figures "1,200.00" the figures and word "960.00 to".

Amend section 7 as follows: Amend line 7 by inserting before the figures "1,200.00" the following: "960.00 to".

Sec. 8. Insert in line 13 before the figures "1,200.00" the following: "960.00 to".

Sec. 9. Insert in line 4 before the figures "1,500.00" the following: "960.00 to".

Sec. 10. Insert in line 5 before the figures "1,200.00" the following: "960.00 to".

Sec. 12. Insert in lines 8, 9 and 10 before the figures "1,200.00" the following: "960.00 to".

Sec. 13. Amend line 2 by striking therefrom the figures "2,420.00" and inserting in lieu thereof the figures "\$2,400.00".

Amend line 10 by striking therefrom the figures "1,500.00" and inserting in lieu thereof the figures "1,610.00".

Amend line 12 by striking therefrom the figures "1,380.00" and inserting in lieu thereof the figures "1,500.00".

Amend by striking from line 18 the figures "1,380.00" and inserting in lieu thereof the figures "1,500.00".

Sec. 14. Amend line 8 by inserting before the figures "1,200.00" the following: "960.00 to".

Sec. 16. Amend line 3 by striking therefrom the figures "2,000.00" and inserting in lieu thereof the figures "2,700.00".

Amend line 7, 8, and 21 by inserting before the figures "1,200.00" the following "960.00 to".

Sec. 17. Insert in line 17 after the word "one" the word "law".

Amend line 18 by adding after the word "assistant" the words "law librarian".

Sec. 18. Amend by inserting before the figures "1,200.00" in lines 5, 6, and 7 the following "960.00 to".

Sec. 19. Amend line 8 by inserting before "1,400.00" the following "960.00 to". Also amend by inserting before the figures "1,200.00" in line 9 the following "960.00 to".

Sec. 19. Amend by striking therefrom lines 11, 12, 13 and 14.

Sec. 20. Amend by inserting in line 14 before the figures "1,200.00" the following: "960.00 to".

Amend by striking from line 14 the word "Three" where it first appears and inserting in lieu thereof the word "Two".

Sec. 21. Insert in line 5 before the figures "1,500.00" the following: "960.00 to".

Also amend line 6 by inserting before the figures "1,200.00" the following: "960.00 to".

Sec. 22. Amend by inserting in line 6 before the figures "1,500.00" the following: "960.00 to".

Sec. 23. Amend line 10 by striking therefrom the figures "2,600.00" and inserting in lieu thereof the figures "3,000.00".

Amend line 6 by striking therefrom the figures "2,400.00" and inserting in lieu thereof the figures "2,700.00".

Amend line 11 by inserting before the figures "1,200.00" the following: "960.00 to".

Sec. 24. Amend lines 8 and 9 by inserting before the figures "1,200.00" the following: "960.00 to".

Sec. 25. Amend line 6 by inserting before the figures "1,200.00" the following: "960.00 to".

Sec. 26. Amend line 14 by inserting before the figures "1,200.00" the following: "960.00 to".

Sec. 30. Amend by inserting in line 6 before the figures "5.00" the following: "3.00 to".

Amend by inserting in line 8 before the figures "1,200.00" the following: "960.00 to".

Sec. 31. Amend line 7 by adding the word "each" after the word "stenographers". Also amend by inserting in same line 7 before the figures "1,200.00" the following: "960.00 to".

Sec. 32. Amend by striking out section 32 and renumbering the balance of the sections.

Sec. 7. Striking out from line 35 the figures "40,000" and inserting in lieu thereof the figures "55,000". Also strike lines 39 and 40 down to and including the word "state" in line 41.

Amend the title by adding at the end thereof the following: "and providing for the payment of expenses of such offices and employees. Also providing for the making of reports by certain associations, corporations and requiring local peace officers to make reports to the department of agriculture".

And when so amended the bill do pass.

Senator Dutcher moved the previous question, which motion prevailed and the previous question was ordered.

On the question "Shall the amendments be concurred in?" the vote was:

Ayes, 27.

Abben	Dutcher	McIntosh	Shaff
Adams	Gilchrist	Mantz	Shane
Baird	Goodwin	Mead	Shinn
Banta	Hartman	Newberry	Slosson
Brookins	Holdoegel	Olson	Smith
Browné	Horchem	Perkins	Stoddard
Darting	Kimberly	Reed	

Nays, 22.

Bergman	Cessna	Nelson	Thurston
Bowman	Ethell	Rees	Tuck
Brookhart	Fulton	Romkey	White
Buser	Hale	Schmedika	Wichman
Caldwell	Haskell	Scott	
Campbell	Johnston	Snook	

Absent or not voting, 1.

Price

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

The Senate took a recess.

The Senate reconvened.

The Senate resumed consideration of House File No. 666.

Senator Wichman offered the following amendment and moved its adoption:

Amend by adding thereto as section two the following:

Sec. 2. Chapter 358 acts of the Thirty-seventh General Assembly (C. C. 3136-3137) is hereby repealed.

Also renumber section two as section three.

The amendment was adopted.

The bill was read for information.

Senator Schmedika moved that the reading just had be considered its third reading, which motion prevailed.

Senator Price invoked rule 8.

On the question "Shall the bill pass?" the vote was

Ayes, 28.

Adams	Darting	Nelson	Shinn
Brookhart	Ethell	Price	Slosson
Browne	Fulton	Rees	Smith
Buser	Gilchrist	Romkey	Snook
Caldwell	Johnston	Schmedika	Thurston
Campbell	McIntosh	Scott	Tuck
Cessna	Mead	Shane	White

Nays, 17.

Abben	Brookins	Mantz	Stoddard
Baird	Dutcher	Newberry	Wichman
Banta	Hale	Perkins	
Bergman	Holdoegel	Reed	
Bowman	Horchem	Shaff	

Absent or not voting, 5.

Goodwin	Haskell	Olson
Hartman	Kimberly	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Schmedika moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which 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. 759, a bill for an act relating to the publication of the gasoline tax bill.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 758, a bill for an act relating to publication of Senate File No. 563.

Also, that the House concurred in Senate amendments to House File No. 495, a bill for an act relating to the manufacture, distribution and use of hog cholera virus and anti-hog cholera serum; and to provide for the regulation of the manufacture, distribution and use of hog-cholera virus, and anti-hog cholera serum.

Also, that the House concurred in Senate amendments to House File No. 307, in which the concurrence of the House was asked.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 752, a bill for an act making an appropriation for the maintenance and improvement of the state capitol grounds for the biennial period commencing July 1, 1923 and ending June 30, 1925.

A. C. GUSTAFSON, *Chief Clerk.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 758 and 759, and House Files Nos. 307 and 823.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of th Senate: House Files Nos. 307, 382, 437, 533, 574, 599, 697, 757, 815, and 823, and Senate Files Nos. 758 and 759.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 17th day of April, sent to the Governor for his approval: Senate Files Nos. 255, 437, 452, 408, 614, 509, 532, 630, 461, 560, 486, 743, 284, 665, 587, 572, 674, 524, 490, 734, 354, 745, 615, 11, 722, 756, 668, 751, 371, 667, 386, 604, 757 and 749.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

HOUSE AMENDMENTS CONSIDERED

Senator Stoddard called up for consideration Senate File No. 752, amended by the House, and moved that the Senate concur in the following amendments:

Amend line fourteen (14) by striking the figures "1,500" and inserting in lieu thereof the figures "1,000".

Strike all of line three (3) and that part of line four (4) down to the word "to" and insert in lieu thereof the following: "twenty-three thousand eighty-nine dollars and ninety-seven cents (\$23,089.97)".

Also amend by striking out of line 27 of section one (1) the figures "\$22,749.97" and inserting in lieu thereof the figures "\$22,249.97".

On the question "Shall the amendments be concurred in?" the vote was:

Ayes, 40.

Abben	Darting	Mantz	Shane
Baird	Ethell	Mead	Shinn
Banta	Fulton	Nelson	Slosson
Bergman	Hale	Price	Smith
Brookhart	Hartman	Reed	Snook
Brookins	Haskell	Rees	Stoddard
Buser	Holdoegel	Romkey	Thurston
Caldwell	Horchem	Schmedika	Tuck
Campbell	Johnston	Scott	White
Cessna	McIntosh	Shaff	Wichman

Nays, 2.

Bowman Newberry

Absent or not voting, 8.

Adams	Dutcher	Goodwin	Olson
Browne	Gilchrist	Kimberly	Perkins

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

INTRODUCTION OF BILLS

Senate File No. 760, a bill for an act to amend, revise and codify section thirteen hundred three (1303) supplement to the code, 1915, as amended by chapter six (6), acts of the Thirty-seventh (37) General Assembly, and as amended by section fifty-four (54) of chapter two hundred thirty-seven (237) acts of the Thirty-eighth (38) General Assembly (C. C. 2870) relating to the county road building fund.

Introduced under suspension of the rules and read first and second times.

THIRD READING OF BILLS

On motion of Senator Caldwell the rules were suspended and Senate File No. 760, a bill for an act to amend, revise and codify section thirteen hundred three (1303) supplement to the code, 1915, as amended by chapter six (6), acts of the Thirty-seventh (37) General Assembly, and as amended by section fifty-four (54) of chapter two hundred thirty-seven (237) acts of the Thirty-eighth (38) General Assembly (C. C. 2870) relating to the county road building fund, was taken up and considered.

The bill was read for information.

Senator Caldwell 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:

Ayse, 41.

Abben	Cessna	Mantz	Shinn
Adams	Darting	Mead	Slosson
Baird	Dutcher	Newberry	Smith
Banta	Ethell	Perkins	Snook
Bergman	Fulton	Price	Stoddard
Bowman	Hale	Reed	Thurston
Brookhart	Hartman	Romkey	White
Brookins	Haskell	Schmedika	Wichman
Buser	Holdoegel	Scott	
Caldwell	Horchem	Shaff	
Campbell	Johnston	Shane	

Nays, 2.

Browne	McIntosh
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Absent or not voting, 7.

Gilchrist	Kimberly	Olson	Tuck
Goodwin	Nelson	Rees	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Caldwell moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the conference committee on Senate File 458 making appropriations for state educational institutions has reported disagreement and the Speaker appoints as a third conference committee on the part of the House, Representatives Lovrien, McClune, Patterson and Dewar.

A. C. GUSTAFSON, *Chief Clerk*.

Senator Shaff moved that the President appoint a new conference committee on the part of the Senate on Senate File No. 458.

Senator Buser moved as a substitute motion that the Senate recede from its amendments.

Senator Price raised the point of order that a report of disagreement was not a report at all and could not be considered by the Senate under Rule 1 of the joint rules of the House and Senate.

The President held that the Senate was not considering the report and the point was not well taken.

Senator Price raised the point of order that if this report was not being considered there was nothing before the Senate.

The President held the point not well taken.

Senator Wichman raised the point of order that on April 14th the Senate voted to insist on its amendments to Senate File No. 458, which was equivalent to voting not to recede and the motion made by Senator Buser was out of order.

The President held the point not well taken.

Senator Price moved that the Senate adjourn *sine die*.

The President held the motion out of order as section 15 article 3 of the constitution (page 85 of the code) says "Neither House shall, without consent of the other, adjourn more than three days nor to any other place than that in which they may be sitting."

Senator McIntosh moved that the President appoint a committee of three to notify the House that the Senate was ready to adjourn *sine die*.

The President held the motion out of order, for the reason that there was already a motion and a substitute motion pending.

Senator Price raised the point of order that the Senate, on a prior date had agreed by concurrent resolution with the House to adjourn *sine die* at 12 noon, Tuesday, April 17th, and that it was now 2:25 in the afternoon of April 18, 1923 and whatever proceedings were taken at this time would be invalid.

The President held the point not well taken according to section 15 of article 3 of the constitution.

Senator Price moved that the Senate adjourn until 9 a. m. Thursday.

The President held the motion out of order, as the question of adjournment had been covered by concurrent resolution.

Senator Ethell moved that Senator Olson be excused from the call of the Senate.

On the question "Shall Senator Olson be excused?" the vote was:

Ayes, 18.

Bergman	Fulton	Rees	Snook
Browne	Johnston	Romkey	Thurston
Campbell	McIntosh	Schmedika	Tuck
Cessna	Nelson	Shane	
Ethell	Price	Shinn	

Nays, 29.

Abben	Dutcher	Kimberly	Slosson
Adams	Gilchrist	Mantz	Smith
Baird	Goodwin	Mead	Stoddard
Banta	Hale	Newberry	White
Bowman	Hartman	Perkins	Wichman
Brookins	Haskell	Reed	
Caldwell	Holdoegel	Scott	
Darting	Horchem	Shaff	

Absent or not voting, 3.

Brookhart	Buser	Olson
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The motion was lost.

Senator Price moved that the Senate do now adjourn.

Senator Wichman raised the point of order that a motion to adjourn was not debatable.

The President held the point well taken.

Senator Holdoegel raised the point of order that a motion to adjourn at this time was out of order.

The President held the motion to adjourn out of order, as an unqualified motion to adjourn would accomplish a dissolution of the Assembly, which under the Constitution neither house could do without the consent of the other.

Senator Dutcher raised the point of order that the debate between Senators Buser and Holdoegel was out of order.

The President held the point well taken.

Senator Dutcher raised the point of order that Senator Price's remarks were not germane.

The President held the point not well taken.

Senator Dutcher moved the previous question, which motion prevailed and the previous question was ordered.

On the question "Shall the substitute offered by Senator Buser be adopted?" the vote was:

Ayes, 22.

Bergman
Brookhart
Browne
Buser
Campbell
Cessna

Ethell
Fulton
Johnston
McIntosh
Mead
Nelson

Price
Rees
Romkey
Schmedika
Shane
Shinn

Slosson
Snook
Thurston
Tuck

Nays, 28.

Abben
Adams
Baird
Banta
Bowman
Brookins
Caldwell

Darting
Dutcher
Gilchrist
Goodwin
Hale
Hartman
Haskell

Holdoegel
Horchem
Kimberly
Mantz
Newberry
Olson
Perkins

Reed
Scott
Shaff
Smith
Stoddard
White
Wichman

Absent or not voting, none.

The motion was lost.

On the question "Shall Senator Shaff's motion prevail " the vote was:

Ayes, 31.

Abben	Darting	Horchem	Scott
Adams	Dutcher	Kimberly	Shaff
Baird	Gilchrist	Mantz	Slosson
Banta	Goodwin	Mead	Smith
Bergman	Hale	Newberry	Stoddard
Bowman	Hartman	Olson	White
Brookins	Haskell	Perkins	Wichman
Caldwell	Holdoegel	Reed	

Nays, 19.

Brookhart	Ethell	Price	Shinn
Browne	Fulton	Rees	Snook
Buser	Johnston	Romkey	Thuston
Campbell	McIntosh	Schmedika	Tuck
Cessna	Nelson	Shane	

Absent or not voting, none.

The motion prevailed and the President appointed as such committee on the part of the Senate, Senators Scott, Perkins, Rees and Banta.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 754, 752 and House File No. 666.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

MESSAGE FROM THE HOUSE

MR. PRESIDENT: 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 committee to Senate File No. 458, a bill for an act to make appropriations for the State University of Iowa, the Iowa State College of Agriculture and Mechanic Arts, the Iowa Teachers College, the Iowa College for the Blind, and the Iowa School for the Deaf.

A. C. GUSTAFSON, *Chief Clerk.*

CONFERENCE COMMITTEE REPORT ON SENATE FILE NO. 458

Senator Olson moved that the Senate concur in and adopt the following report:

To the Senate and House of Representatives of the Fortieth General Assembly:

We, your conference Committee, appointed for the consideration of Senate File No. 458, as amended, beg leave to report that they have had the differences between this bill as passed by the Senate and amended by the House under consideration and recommend that the bill be amended as follows:

By striking out all after the enacting clause and inserting in lieu thereof Senate File No. 458 as amended by the substitute by Harrison of the House, as shown in House Journal for April 9, 1923, on pages 1559 to 1563, and as further amended in the House as shown in House Journal for April 12, 1923, on page 1656, and by adding the following section:

"Sec. 13. There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, the amount of nine hundred eighty-one thousand eight hundred fifty dollars (\$981,850.00) annually for each year of the biennium beginning July 1, 1923, to be used as follows:

To the state university of Iowa.....	\$471,288.00
To the Iowa state college of agriculture and mechanic arts....	471,288.00
To the Iowa state teachers college.....	39,274.00

to be used for maintenance or buildings or other purposes by the state board of education as by law provided, and the board is hereby authorized to distribute the excess in any sum named in this section to such funds in the same institution as, in their judgment, they may deem advisable.

The 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, 1923, for the biennial period."

Respectfully submitted,

R. P. SCOTT,
S. C. REES,
GEO. B. PERKINS,
GEORGE S. BANTA,
Committee of the Senate.

FRED C. LOVRIEN,
H. C. DEWAR,
G. W. PATTERSON,
J. C. MCCLUNE,
Committee of the House.

Senator Shane moved the previous question, which motion prevailed and the previous question was ordered.

On the question "Shall the Senate concur in and adopt the report?" the vote was:

Ayes, 31.

Abben	Dutcher	Kimberly	Scott
Adams	Gilchrist	Mantz	Shaff
Baird	Goodwin	Mead	Slosson
Banta	Hale	Newberry	Smkh
Bowman	Hartman	Olson	Stoddard
Brookins	Haskell	Perkins	White
Caldwell	Holdoegel	Reed	Wichman
Darting	Horchem	Rees	

Nays, 19.

Bergman	Cessna	Nelson	Shinn
Brookhart	Ethell	Price	Snook
Browne	Fulton	Romkey	Thurston
Buser	Johnston	Schmedtka	Tuck
Campbell	McIntosh	Shane	

Absent or not voting, none.

The motion having received a constitutional majority, the report and amendments proposed were declared to have been adopted and concurred in by the Senate.

Senator Olson moved that the vote by which the report was adopted and concurred in be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

INTRODUCTION OF BILL

Senate File No. 761, by committee on ways and means, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by the executive council.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. General Biennial State Levy. That the amount of revenue for general state purposes is hereby designated and fixed by the General Assembly as the sum of eleven million one hundred sixty-three thousand dollars (\$11,163,000.00) to be provided by the levy for 1923, and the sum of eleven million one hundred sixty-three thousand dollars (\$11,163,000.00) to be provided by the levy for 1924, said levies to be made as provided in sections thirteen hundred eighty-c (1380-c) and thirteen hundred eighty-d (1380-d) of the supplement to the code, 1913.

Read first and second times.

CALL OF THE SENATE

MR. PRESIDENT: The undersigned request a call of the Senate on the bill for fixing the biennial state levy.

C. M. DUTCHER.
B. M. STODDARD.
FRANK SHANE.
W. J. GOODWIN.

R. P. SCOTT.
J. O. SHAFF.
C. J. FULTON.
E. M. SMITH.

F. C. GILCHRIST.
J. A. MCINTOSH.
J. E. WICHMAN.
B. J. HORCHEM.

BYRON W. NEWBERRY.
A. J. SHINN.
W. S. BAIRD.
G. S. HARTMAN.

The roll call revealed all senators present except Senator Cessna.

On motion of Senator Dutcher, Senator Cessna was excused from the call of the Senate on Senate File No. 761.

On motion of Senator Smith the rules were suspended and Senate File No. 761, by committee on ways and means, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by the executive council, was taken up and considered.

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, 49.

Abben	Dutcher	Mantz	Shane
Adams	Ethell	Mead	Shinn
Baird	Fulton	Nelson	Slosson
Banta	Gilchrist	Newberry	Smith
Bergman	Goodwin	Olson	Snook
Bowman	Hale	Perkins	Stoddard
Brookhart	Hartman	Price	Thurston
Brookins	Haskell	Reed	Tuck
Browne	Holdoegel	Rees	White
Buser	Horchem	Romkey	Wichman
Caldwell	Johnston	Schmedika	
Campbell	Kimberly	Scott	
Darting	McIntosh	Shaff	

Nays, none.

Absent or not voting, 1.

Cessna

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Smith moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which 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. 761, a bill for an act relating to tax levies to be fixed by the executive council.

Also, that the House has concurred in Senate amendment to House File No. 666, a bill for an act conferring powers and duties upon township trustees to make certain regulations within platted unincorporated villages within their townships.

A. C. GUSTAFSON, *Chief Clerk.*

The Senate took a recess.

The Senate reconvened.

The Journal of April 16th was corrected and approved.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Gilchrist, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 458 and 761.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 458, 761, 752, 754 and House File No. 666.

BILLS SENT TO THE GOVERNOR

Senator Gilchrist, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 17th day of April, 1923, sent the Governor for his approval: Senate Files Nos. 754, 752, 758, 759, 761 and 458.

F. C. GILCHREST, *Chairman.*

The report was adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that he had, on April 16th, signed the following bills: Senate

Files Nos. 618, 394, 637, 546, 314, 547, 570, 549, 372, 700, 506, 699, 540 and 362; and that he had on April 17th signed Senate 443, 666, 631, 381, 338, 325, 409, 671, 460, 395, 398, 316, 468, 566, Files Nos. 536, 446, 423, 669, 718 and 613.

COMMITTEE TO NOTIFY HOUSE

Senator Ethell 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 Ethell, Nelson and Mead.

COMMITTEE TO NOTIFY GOVERNOR

Senator Banta 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 Banta, Romkey and Rees.

REPORTS OF SPECIAL COMMITTEES

Senator Ethell, 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 Banta, from the 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*.

FINAL ADJOURNMENT

The hour of 12 o'clock noon having arrived, President Hammill declared the Senate of the Fortieth General Assembly adjourned *sine die*.

IN MEMORIAM

Iowa State Senate

DANIEL CADY CHASE.....	June	18, 1859-Mar.	2, 1923
EUGENE SCHAFFTER.....	Sept.	3, 1864-Oct.	31, 1921
HORACE BOIES.....	Dec.	7, 1827-April	3, 1923
LUCIEN MOODY KILBURN.....	Jan.	20, 1842-1923	
FRED G. HENIGBAUM.....	June	10, 1864-Sept.	7, 1921
THEODORE BOLIVER PERRY.....	April	1, 1833-May	14, 1921
WILLIAM HENRY BERRY.....	Oct.	23, 1849-Mar.	25, 1923
EDGAR P. FARR.....	Jan.	11, 1859-Feb.	5, 1922
JOHN ALEX YOUNG.....	July	13, 1838-April	20, 1921
ALVA C. HAGER.....	Oct.	29, 1849-Jan.	30, 1923
JAMES ELERICK.....	April	6, 1838-Aug.	7, 1922
ROBERT C. STIRTON.....	April	2, 1861-1923	
NATHAN MAÏCH PUSEY.....	June	21, 1841-Oct.	9, 1922
RICHARD PRICE.....	Feb.	28, 1848-May	5, 1922

JOURNAL OF THE SENATE

MEMORIALS

SENATE CHAMBER,

DES MOINES, IOWA, APRIL 12, 1923.

The Senate met in memorial session, President Hammill presiding.

DANIEL CADY CHASE

Senator D. C. Chase, a member of the present General Assembly, having died Friday morning, March 2, President of the Senate John Hammill and Senators Gilchrist, Price, Buser and Bowman appointed by him as a special committee, attended the funeral, which was held at Webster City on Sunday, March 4th.

At the close of the session of the Senate on Tuesday, March 6, a short memorial exercise was held for Senator Chase.

On motion of Senator Gilchrist the following eulogy of Senator Chase, delivered at the funeral by Rev. George Wood, was ordered printed in the Senate Journal:

My dear Friends:

We are assembled today to show our sense of appreciation, our high regard, for the life and personality of Daniel Cady Chase. Cady, as he was generally known, was born in this city, June 18, 1859, his parents coming here one year previous. His father, Daniel D. Chase, was a prominent lawyer and district judge.

Cady was a graduate of the Webster City schools and also of the State university, where he made a brilliant record. For a time he was interested in journalism, but later was admitted to the bar and became one of its most able members.

From 1892 to his death, he was at intervals associated with the state legislature; first as representative and then as senator, holding the seat as senator for the Thirty-seventh district at the time of his death.

His consecration to duty was as impelling during his previous terms as it was in this, his last, when from a sick bed he would take his faltering way to the Senate chamber, there to engage in debate, and to vote, carrying out the desires of his constituency, but returning each time a much weakened man.

One might say that his sense of duty was as vital to him as life itself.

Cady Chase passed away at 7:30 o'clock a. m., Friday morning, March 2nd, almost in the arms of Mrs. Chase, who has without rest given herself to him during his long and wearing sickness. He leaves to lament his departure, his wife and one son, Cady—Daniel Cady Chase, Jr., who is practising law in Cedar Rapids.

Mr. Chase was always at the service of his fellows, and no legal work nor indeed work of any kind was ever refused because his client had no means wherewith to pay for the services he sought. Cady Chase performed many deeds of helpfulness, few of which were ever made public, and none of which were heralded by a fanfare of trumpets.

He championed the cause of the "under dog," and with considerable relish fought his case to a finish. He had a mind as keen as a March wind; a sympathy as generous as summer sunshine; and convictions steadfast as a granite cliff, and constant as the stars. He was a statesman, a lawyer, a man, of no mean order; the friend of nature's wild life—for bird, flower, stream and tree had its songful message for his ever ready soul, and it may be that that which passed for aloofness was but preoccupation.

In his early years he gave his powerful voice to the various churches, singing in the choirs, but later he seldom attended public worship; not that the failure to attend church detracted from his personality, for he found sustaining and enriching interests elsewhere.

And now for a few brief moments, I would like to show through the jewelled portals of his poems, and by the aid of his own singing words, some glimpses of his not commonly revealed selfhood. He was a patriot not of the wordy mouth, but of the potent deed. He loved his country, and was perhaps one of the heaviest subscribers of his county to the national Liberty Bonds and this instinct of patriotism flames forth in his lines to "Crocker's Iowa Brigade:"

Here his mystic mood visualizes the hour with its setting of consecrated nobility and martial movement.

He was more—he was a "worshipper":

"Lift up thine eyes. Art thou delving deep?
Scanning the ground long hours? Grovelling o'er a heap
Thou callest gold?
It is unvalued, save as a thing of beauty
Which shines and glitters in the sun;
But naught, when matched with the glorious rise
Of the golden dawn itself. Lift up thine eyes;
Earth is but an atom on the face of the universe,
Thy state—thy power—how small
Compared with that which moves the stars, guiding them all.
Look, brother, look! Lift up thine eyes,
Strip off thy tinsel crown."

Surely my friends, we are here face to face with that vast cosmic sense, which gives to life and to men a true balance, a true proportion. Cady Chase was a worshipper of that august power which guides the stars and yet interests itself in men.

A patriot—a worshipper—he was a "Samaritan" soul! Note the sacred sequence, the simple grace, the high regard, which unveils itself in the lines—

"When courage lags, and cannot take
One step ahead; nay, impotent,
Falls down; then Sympathy—Heaven-sent,
And Love, will take the burden up,
Press to the parched lips the cooling cup,
Brush off the dust of failure; then
Assist the stranger on again."

And I venture to say, that in this state there are scores of people whose testimony of their experiences with him, would establish that; for from the treasury of his own regnant manhood, he brought forth the cooling cup and extended the lifting hand.

But he had a "secret place"—a place of mental, physical and indeed spiritual restoration.

"There was a rippling stream, a slow moving boat,
Moving past fragrant woods, where violets blow,
Redolent air, and curtains of green,
Where he rested—unseen—unseen."

And I believe from these hidden sanctuaries, he came forth re-born unto power, to disentangle the skeins of human wretchedness and sin. May I go further and say he was a man of sterling courage, and of abiding steadfastness. In the lines called "Courage," he stands tall as the snow-capped hills, and as immovable:

"Be ever true.
When fortune darkly glowers,
And frowns forbiddingly,
And all the allied powers
Of evil ruthlessly
Rush in between;
Nay, more! The will to draw more closely still
Oh let there then be truthfulness.
The bond between us two,
What storm may come—what woe betide;
So, each be true,
You true to me,
And I to you."

It is an appeal for comradeship in the home, but it is also an appeal for constancy in all of life's relationships. How vividly this man senses life's direst necessities and with what hallowed consecration he would meet them! And finally, this stalwart son of man, this man whose mind and heart formed one of the noblest assets of this favored state, reveals to us the most sacred of all his inner shrines of being when he pens the lines:

"You call me proud; could you but guess aright,
How all my willing pride would gladly die
Before a man who, grandly in his might,
Could rise above me, like a star on high."

Here is a full-orbed, clear visioned sincerity; here is frank, honest, majestic belief in himself; but so poised, so finely balanced, that he could bend the knee, when he had found a might "which grandly rose above him—like a star on high."

Today we mourn his passing from these scenes of earth and turn in our love to those who abide with us "yet a little while," but our faith is firm that Cady Chase, having found that greater life, and having seen face to face the kingly Christ, is walking the avenues of immortality, is changing from glory unto glory by beholding, and perhaps slowly but none the less surely, assuming the same image.

Our prayer surely is this—May the God, whose natural creations he loved so well, and whose voices he heard so clearly, in forest and stream,

in laughing child and in singing bird, multiply his graces upon him and lead him into the way everlasting.—Amen.

Senator Price spoke as follows:

MR. PRESIDENT: I could not permit this hour to pass without saying some word of my appreciation of the life and character of my and your friend, so affectionately called Cady Chase. It was my distinguished privilege to be permitted to stand by his bier and drop a tear of sympathy and love for the memory of one whom his pastor so fittingly called a statesman. It was my privilege to serve with him in the Thirty-seventh General Assembly, and there I learned to know him intimately and well. On the outside he appeared at times gruff, but on the inside he was at all times one of the most polished and brilliant lives that the great state of Iowa has ever produced. How fittingly has he been termed a statesman, and I wish that the senators present and those of the future yet unborn would make the distinction between a statesman and a politician. This Senator Chase did.

It is to be regretted that too many persons in public service, and particularly in the legislature, in voting or acting upon measures coming before them too often ask themselves the question "What effect will this have on my re-election, on my continuation in the public service and the gratification of my selfish ambitions," and too rarely do they ask themselves the question "Is it right?" Cady Chase asked only the question "Is it right?" and having determined this, he cared not for the consequences on his official career because he believed in the doctrine that God Almighty and one in the right is always a majority, and were the great state of Iowa blessed with a greater number of men possessing the sterling qualities which guided Cady Chase here people would be more blessed by the public service than they now are.

His was a clear brain and he had a clear vision. His outstanding characteristic was that of honesty, and in using the word honesty I do not use it in its limited sense, that of paying debts, but I use it in that greater and broader sense, honesty and uprightness in all of his relationships with men. He was courageous; he was fearless; he was studious, and in his service as a senator he thoroughly investigated every proposition and arrived at the conclusion of what was right, and upon arriving at that conclusion he could not be swerved from the path of duty, but pursued it to its just and logical end. His was a kind and sympathetic nature; he judged not, lest he be judged of the same judgment. How often I have heard him speak the lines:

"In men whom men condemn as ill I find so much of goodness still,
In men whom men pronounce divine I find so much of sin and blot
That I hesitate to draw the line between the two where God has not."

That was Cady Chase's attitude towards men.

As I stood beside the bier and dropped a tear I thought "Is Cady Chase dead," My answer is "No"; "to live in hearts we leave behind is not to die." Cady Chase is not dead; he lives today in the hearts of those left behind, in your heart and mine, and we will hand down to posterity the splendor and service of the life of Cady Chase.

His character and influence as a member of the Iowa legislature is reflected in the statutes of the state and in the decades and centuries yet unborn Cady Chase will be known in those statutes and his influence will be felt and his mark left on the lives of the people of this great state.

May his memory ever be green and sweet in our minds. May his ashes ever rest in peace.

Senator Holdoegel spoke in part as follows:

MR. PRESIDENT: I have taken the floor for the purpose of moving that the Senate take special action to provide for the decoration of the desk of our departed brother Senator. It is not my purpose to extend the remarks of this afternoon, but while I am on the floor, I cannot refrain from stating that it was also my privilege to serve in the Thirty-seventh General Assembly with Senator "Cady" Chase.

Coming here as a new man, unsophisticated in legislative lore and in public affairs, I always found his association to be helpful. Senator Chase sat just behind me in that Assembly and many was the time that I turned to him for advice and suggestion, and many was the time that he tendered assistance in his characteristic way. Because of this I came to have great admiration for him as a man, and reverence for his character and an appreciation of his fairness as well as a high esteem for him as a lawyer and a Senator.

Fate seems to have directed that on legislative matters we were frequently diametrically opposed, especially in the earlier part of the session, but in the latter part, when there were matters before the Senate to try men for their stamina, their integrity and their devotion to the welfare of the public, we were drawn together and generally acted in accord. As an adversary his fairness could not be questioned and the vigor of his opposition always demanded respect. He was a man of sympathy with the common people; one who by nature was led to consider the welfare of those who were not particularly blessed in worldly possessions, and in his legal practice I knew him to be one who was disposed to be helpful to those who needed his assistance.

He loved the works of nature and was very much interested in the out-of-doors. He knew the birds; he knew the flowers. I learned to love "Cady" Chase as I have learned to love many men in this Senate. In his home community he received the respect of the general populace.

Very much to my disappointment I was not permitted to attend his funeral and to drop a flower upon his bier, but the weather conditions were such as to prevent the traffic on the interurban line and to prevent my going by auto, so that I could not stand beside the casket which bore the earthly remains of a true and dear friend, and during the afternoon, when the last sad rites were performed for him, my mind dwelt upon the contemplation of the heritage that he was leaving to his community and to his state, and I was led to realize that he who may leave such a heritage shall not have lived in vain.

And I now move, Mr. President, that a committee of three be appointed to provide for the decoration of Senator Chase's desk with flowers.

Senator Horchem spoke as follows:

It is a personal loss I have sustained in the passing of Hon. D. C. Chase. I fully realize my inability to properly express myself, but I feel that I would not be doing my duty if I did not attempt to say a few words.

The first man I met when I came to Des Moines to serve in the General Assembly was Hon. D. C. Chase. You can imagine what respect and regard I had for my fellow legislators after being introduced to him—he was awe-inspiring in his bearing—his appearance and his methods of conversation instilled in me a great respect for him as it would to anyone.

We had not talked more than fifteen minutes when we struck a common chord, a common interest "Conservation of our Lakes," conservation of all natural resources. He said, "Horchem, I am mighty glad that you are going to serve in the House. I want you to take care of my bills after I pass them in the Senate." I had the honor to do this, and this is one of the proudest things I have done all these years I have served in the General Assembly.

A week before he left this chamber a young lawyer, Frank Galloon, from Dubuque, came to my desk and asked me to take him over to where Senator Chase was in the Press Gallery. I introduced him and after a moment of thought he said, "You are not 'Gloomy'?" he answered that he was. After some exchanges of greetings he said "Gloomy, Mrs. Chase would be so glad to see you—be sure to see her." After the young man left he said to me "He was a chum of my son; he spent many days at our house. We think so much of him. He was just like one of the family. It will do Mrs. Chase good to see him."

The last day he was in this chamber he came to my desk. We talked about draining of lakes that took place since he left the Senate chamber—what ought to be done to preserve our natural resources. I suggested to him that he should allow his friends to appoint him on the Board of Conservation—that he knew all about the eminent domain—the lakes—the natural resources in general and that no one could handle the subject as he could. He replied that he never sought any appointment but that he would like to *serve* in such a capacity.

He was truly a great man—with a big heart and a large soul. He was an original thinker—a brilliant orator—he did a great work for the state of Iowa which will loom larger and larger as years come and go. He had a following of his own—an influence upon matters of public moment beyond the original conception of the ordinary citizen. The lakes of Iowa will serve as monuments to Hon. D. C. Chase. No one can fill his place. He speaks in lives made better—in works done that will stand out as time goes on. It can be truly said of him as Watts put it

What I saved I had.

What I had I lost.

What I gave I have.

EUGENE SCHAFFTER

MR. PRESIDENT—Your committee appointed to prepare resolutions commemorating the life, character and services of Eugene Schaffter of Wright county, Iowa, beg leave to submit the following report:

Eugene Schaffter was born at Lynchburg, Virginia, September 3rd, 1864. He was the son of Charles Albin and Lucy (Hall) Schaffter. Mr. Schaffter's parents were natives of Switzerland, where the father followed the printers' and machinists trades. When the family came to America he followed the printing trade in Virginia and served as public printer and finally moved to Paxton, Illinois, in 1880, his son moving with him.

Two years later the family moved to Eagle Grove, Iowa, and the father bought the town paper, which he published until his death in 1894.

Eugene Schaffter received his education in the public schools and the Collegiate and Normal Institute of Paxton, Illinois. He worked at newspaper reporting in Batavia, Illinois, until 1882, when he secured a position as stenographer and clerk for Railroad Superintendent Burt. For a short time he was with Mr. Burt at Clinton, and was the same year returned to Eagle Grove and was chief clerk for Mr. Hopkins, Burt's successor.

In 1890 he resigned and went to Europe, spending considerable time in that part of Switzerland where his parents were born and later entered the University of Berlin for one term.

On his return to America, he again entered the employ of the Northwestern at Eagle Grove, and in 1899 after seventeen years of service in this kind of work, he resigned and entered the law practice with D. C. Filkins. Two years later Mr. Filkins moved to Minneapolis, and Mr. Schaffter continued the practice alone until ill health forced him to give his work up, about two months before his death.

Mr. Schaffter was married to Miss Hattie Hecket, and she and their two daughters still survive.

In 1908 he was delegate to the Republican National Convention, and in 1918 was elected senator, and served in the Thirty-eighth and Thirty-ninth sessions. His term would have expired January 1, 1923, and it was his intention to ask re-election.

He was very active in Masonic circles. He was Past Grand High Priest of the Royal Arch Masons of Iowa and Grand Masons of Iowa and Grand Illustrious Master of the Council.

He served as mayor of the city of Eagle Grove, and was president of the school board for a number of years, and was also a member of the library board.

He died at his home in Eagle Grove, Monday, October 31st, 1921, from pernicious anemia. He had been afflicted with this disease for some time, but it did not develop seriously until a few months before his death. He made several trips to Rochester, Minnesota, had several blood transfusions, but the results were not lasting. He passed away without suffering about one o'clock Monday morning.

Now Therefore, Be It Resolved, By the Senate of the Fortieth General

Assembly of Iowa, that in the death of Eugene Schaffter, the state and community where he lived, have suffered the loss of an influential and honorable citizen; and

Be It Further Resolved, That a copy of these resolutions be spread upon the Journal of the Senate and that the secretary be directed to send an engrossed copy thereof to the family of the deceased.

ED M. SMITH.

The resolutions were adopted unanimously.

Senator Smith spoke in part as follows:

MR. PRESIDENT—I shall always prize most highly the privilege which was mine in being associated with Eugene Schaffter. I recall following the election four years ago of hearing the old members of the Senate discussing our new associates and of hearing the highest compliments with reference to the character and ability of the new senator from Wright county.

The things that stand out in my mind concerning Senator Schaffter were his unusually sound judgment in matters of public interest, his broad vision of the public needs of the state of Iowa, his keen intellect, and his regard at all times for the rights of others. He was as gentle as a little child, loyal always to his convictions, and over and above all he had that consideration for others that marks the true gentleman.

One of the things that will always impress me was his unfaltering cheerfulness under all conditions. Two years ago when he served here with us I think now that we all knew that he was far from being well, but he bore his burden without complaining.

Between Senator Schaffter's desk and mine was the desk of the Senator from Polk and while Senator Parker is no longer a member of this body I think it would be quite fitting and proper that he say a few words of tribute.

Senator Parker spoke as follows:

MR. PRESIDENT—I am deeply grateful to the Senate for the privilege of saying a few words in memory of my friend, and the friend of all who knew him.

Eugene Schaffter was a native of Virginia and a pioneer of Iowa. He was a Cavalier by inheritance, and a puritan by environment. In him were combined the best traditions of both.

He came to northern Iowa more than forty years ago, when much of the native prairie was still unbroken. As a boy and young man he shared in the joys and hardships of pioneer life. After fifteen years of service at Eagle Grove with the Northwestern Railway Company, he began the study of law and in 1899 was admitted to the bar and became highly respected as an advocate and counsellor.

He took an active part in the civic life of his community. He believed in schools and free public libraries. He supported every cause that made for a better citizenship. He was a student of public affairs and not unmindful of the dangers that beset his country.

In 1918 he was elected to the state Senate and served in the Thirty-eighth and Thirty-ninth General Assemblies. He at once became one

of the influential members, and in the Thirty-ninth General Assembly I doubt if any member had as much quiet influence and respect as did this modest, cultured, highminded gentleman from Eagle Grove. He was honest, not only in his financial transactions, but intellectually honest—a great trait in a public man. He was unassuming, but courageous, and his position was always clearly understood. He was not an orator, but he spoke the truth, and no one more effectively. He was conservative and liberal, an idealist and practical, a student and a successful man of affairs.

Eugene Schaffter was a scholar, largely self educated. His private library was probably as fine as any in Iowa. It was selected with great discrimination and he was personally acquainted with every volume—and communed with them in many languages. He loved music. He knew the drama and the literature of the ages.

Mr. President, of all those whose passing we deplore here tonight it seems to me that none was more untimely than the death of Eugene Schaffter. True he had passed the meridian of life, but the horizon was still far away. The years ahead were filled with the promise of rewards for a life well lived. They spoke of days devoted to quiet study and reflection, of travel, of friends, of music, of books, new and old, and of the companionship of those he loved. But, those of us in the Thirty-ninth General Assembly who knew him best were aware that some fatal malady had seized him. Shortly after adjournment disquieting reports reached me of his condition. By midsummer his body, never robust, grew weary and in late autumn, surrounded by his family and among his books, in the town in which he lived, and loved and labored, he fell asleep. Earth has not known a more gentle, manlier man than Eugene Schaffter.

Senator Fulton spoke as follows:

MR. PRESIDENT—When I read the announcement of Senator Schaffter's death I was greatly shocked, for it seemed so untimely. There flashed across my mind then, as now, the beautiful lines of Mrs. Hemans:

"Leaves have their time to fall
And flowers to wither at the north-wind's breath;
And Stars to set; but all,
Thou hast all seasons for thine own, O Death."

He was called in the plenitude of his power with years of service yet before him.

Before I knew Senator Schaffter I had occasion to write him a letter upon a legislative matter. He replied promptly and graciously. I offer this as signal evidence of his unfailing courtesy and his helpful spirit.

I was attracted to him by his scholarly tastes. I found him a student of books as well as of men and events. In that we had a common interest.

I learned to admire and respect him, and I now join his other friends in mourning his departure to that bourne from which no traveler returns.

Senator Stoddard spoke as follows:

MR. PRESIDENT—I knew Senator Schaffter in the Thirty-eighth and Thirty-ninth General Assemblies. Those of you who were here and

knew him know how much he used to enjoy the poetry which he wrote. Shortly after the adjournment of the Thirty-ninth General Assembly he sent me the following verses which I think illustrate quite plainly his attitude toward his experiences here:

When we go legislating we acquire a title grand,
And we strut around enjoying it, and think we beat the band,
The deferential lobby and the fellow with a bill—
They magnify our greatness, and praise with all their skill.
So we're "Senators" in session, or wherever we may roam,
But we're "Bert" and "Ray" and "Henry" with the folks back home.
We roll the thunder-barrels and orate with all our might,
We jump on one another and provoke a merry fight.
But all thru our orations or whatever we may say,
The stately title "Senator" is never laid away.
And when the session's ended and we've left the golden dome,
We're "Joe" and "Gene" and "Byron" with the folks back home.
But we've surely no occasion to complain of Fate's decree,
Or to wish that names were otherwise applied to you and me;
For the people showed the finest taste in choosing men like us,
If they want to drop the "Senator" we surely needn't fuss.
So we're "Senators" in session and wherever we may roam,
But we're "Jack" and "Frank" and "Parker" with the folks back home.

Senator Scott spoke as follows:

MR. PRESIDENT AND SENATORS—There is an old English maxim "So live that if one shall speak ill of you no one will believe it." What a wonderful challenge there is in that maxim, and yet I am one that believes that 'Gene Schaffter in his life, measured up to that challenge. His life fittingly exemplified, I think, the admonition contained in those words

"So live, that when the summons comes to join
The innumerable caravan, which moves
To that mysterious realm, where each shall take
His chamber in the silent halls of death,
Thou go not, like the quarry-slave at night,
Scourged to his dungeon, but, sustained and soothed
By an unfaltering trust, approach thy grave
Like one who wraps the drapery of his couch
About him, and lies down to pleasant dreams."

Senator Reed spoke in part as follows:

MR. PRESIDENT—I just want to call your attention to this fact, that Eugene Schaffter stood in his own community just as he stood among us. It seems to me that here is a man of whom we can well say "His work was unfinished, his death untimely."

Senator Dutcher spoke as follows:

I cannot let this occasion pass without saying a few words, not only of respectful, but of affectionate tribute, to the memory of one of the rarest and choicest characters that it has ever been my privilege to know.

I do not think of 'Gene Schaffter as a senator, exemplary and able as his services in that capacity were. I remember him as a man. I think he possessed all of the elements of a well-balanced and well-rounded manhood. The baser things of life had no place in his head or in his

heart. His mind dominated his body. He was intellectual and had ideals that would be worthy the emulation of any man.

I had occasion, after his death, to meet his wife and daughter frequently in the intimacy of my own home and the sorrow which his bereaved ones felt and the holy love which they bore for him were unmistakable and incontrovertible evidence that he was an ideal husband and father. His death was, indeed, untimely and we, his brethren, have an occasion to sincerely mourn.

Senator Wichman spoke as follows:

MR. PRESIDENT—I was somewhat acquainted with Senator Eugene Schaffter before being associated with him in the Senate of the Thirty-ninth General Assembly. I think the first time I met him was when he came to Garner as a grand officer of the Masonic fraternity to confer some degrees on some of our Masons, including myself.

It was only after working with him here in the Thirty-ninth General Assembly that I learned to appreciate his beautiful character and his worth as a true friend.

What impressed me most in my association with Senator Schaffter was his conscientious performance of the duties imposed upon him as a member of the General Assembly. I remember early in the session of the Thirty-ninth General Assembly talking with him about the work to come up during the session and he then stated that he had resolved to act on every bill by determining whether it was right or wrong, regardless of who the author was or what influences were brought to bear upon him, and I am sure he lived up to that resolution to the letter.

I was also impressed by his impartiality and fairness in all his dealings with his fellow members. I was on his committee of cities and towns, which handled a large amount of work during that session and he was always fair to every member of the committee, and to every measure coming before it; there was no railroading a measure through the committee over which Eugene Schaffter presided.

I attended his funeral at Eagle Grove as a member of the committee appointed by the president of the Senate, and what impressed me most there, next to the universal sorrow shown by the people of Eagle Grove over his death, was the fact, demonstrated by his magnificent library, of his love for good books and good literature. While being entertained at his home, the Senate committee had occasion to examine his library, and we were impressed, not only by the selection made by him, but by the proofs contained in the books themselves of his studious nature and of the close analysis he had given the subjects covered by the books in his library. Nearly every page of the books he used the most and loved the best were covered with marginal notes commenting on the subject matter involved. These notes were so pertinent and so illuminating that they demonstrate more fully than could be done in any other way Senator Schaffter's learning and thorough knowledge of science and literature.

When Senator Schaffter died the state of Iowa lost one of its most valuable citizens, and all of those who knew him, a loving friend and adviser.

Senator Price spoke as follows:

It seems almost impossible to cover in one evening the nobility of a life like 'Gene Schaffter's, and yet I appreciate that we have said much concerning him. I am impressed with the futility of words to give consideration to the sentiments that beat within our hearts and ask for expression. I must not prolong this service. I must say that I can bear witness to the very great esteem that has been given to the incomparable life of this man. There was another thing that impressed me which has been touched on lightly and that was the gentleness and kindness with which he dealt with things that came before the Senate while he was here, and yet how stern he was in all of his opinions, and I must heartily join in all that has been said and must say that Iowa has suffered a distinct loss in his passing.

HORACE BOIES

MR. PRESIDENT—Your committee appointed to prepare resolutions commemorative of the life, character and public service of Governor Boies, late of Long Beach, California, beg leave to report the following memorial:

Governor Horace Boies was born in Erie county, New York, on the 7th day of December, 1827. After having received a common school education, at the age of sixteen years, moved to Wisconsin where he secured work on a farm after which he returned to his home and entered into the study of law.

He was a member of the New York legislature, being elected in the year 1855 on the republican ticket. In the year 1856 he came to Iowa, living at Waterloo.

Governor Boies changed party affiliations in the year 1880 and in the year 1889 was nominated governor of Iowa on the democratic ticket. He was elected and became the thirteenth governor of Iowa.

Horace Boies was a great student. He had an indomitable determination to do well that which he undertook. He was fair, straightforward and unswerving in lending his whole self in the interests of what he believed to be fair, right and just.

His life has been an inspiration and living example to those who have the courage to do something worth while in this life, even though they find themselves handicapped to do very largely for themselves what otherwise might be more easily accomplished by the assistance of friends of influence and means.

On the night of April 3, 1923, at Long Beach, California, the All Wise Creator summoned Horace Boies into that great beyond. But the good he has accomplished through a life of conscientious effort, of kindly deeds and high minded purpose to do right has left a heritage with his family and the people of the state which will live on for the years to come.

Now Therefore, Be It Resolved, By the Senate of the Fortieth General Assembly of Iowa, that in the death of Governor Boies, the state and

community where he lived, have suffered the loss of an influential and honorable citizen; and

Be It Further Resolved, That a copy of these resolutions be spread upon the Journal of the Senate and that the secretary be directed to send an engrossed copy thereof to his family.

M. L. BOWMAN,

H. C. WHITE,

J. H. SNOOK.

The resolutions were adopted unanimously.

Senator Bowman spoke as follows:

I regret very much that it has not been my privilege to have seen or to have known that noble personage in whose honor the members of the Senate of the Fortieth General Assembly pause and reflect for a time this evening.

It was day before yesterday in the city of Waterloo that many of his friends gathered for the purpose of placing former Governor Boles in his last resting place.

Horace Boles was a self made man; he was born of humble parentage and what he was he made of himself.

It is a wonderful thing to have lived past the four score years and ten, but to have lived them as Horace Boles lived them is a wonderful achievement.

He was the thirteenth governor of this state. He was elected on the democratic ticket and regardless of political affiliations Governor Boles was universally admired by all who knew him for his straightforward, rugged honesty. He was fearless in the support of that which he believed to be right.

He was stern, yet kind, and while for the past few years he had chosen a milder climate, due to his advanced age, yet his son has continued to reside in Waterloo and has likewise displayed the amiable character of his father. He has been re-elected to the office of district judge, practically without opposition.

It is not strange that the many Iowa people who have journeyed westward to the land of poppies and who have taken advantage of the opportunity to call upon our distinguished Iowan, who recently has lived at Long Beach, so appreciate the strength of his character, his vigorous mind and body in his advanced age that he became commonly known as "The Grand Old Man of Iowa."

LUCIAN MOODY KILBURN

MR. PRESIDENT—Your committee appointed to prepare resolutions commemorating the life, character and services of Lucian Moody Kilburn, of Greenfield, Adair county, beg leave to submit the following report:

Lucian Moody Kilburn was born in West Boscawen, New Hampshire, January 20, 1842. His parents were of English descent, and both of his grandfathers fought in the Revolutionary war. He was born and reared on a farm, and received his education in the public schools and

at Elmwood Academy of Boscawen and the Literary Institute of New London. For two years he was superintendent of schools in his native town.

He enlisted in Company E, 16th New Hampshire Volunteers in October, 1862, and served as corporal of his company during the term of his services.

He came to Iowa in November, 1868, and the next year settled on and improved the farm near Fontanelle where he lived for many years, and engaged again in teaching school. In 1870 he married Elizabeth H. Peet, who was a teacher in the lower grades of the Fontanelle schools.

He was instrumental in the organization of a local horticultural society, and gave considerable attention to bee culture, and for some time had quite an apiary and even took two or three colonies of bees with him when he moved to Greenfield. He was always active in the furthering of any plans proposed for the betterment of the community. He was one of the first policy holders in the Adair County Mutual Insurance Association which began business in 1888 with fifty thousand dollars risks and which has now grown to an association with over five million dollar risks. He was its president from its organization until his death, a period of 34 years. He was also a stock holder and director in the First National Bank of Fontanelle.

In 1893 he was elected to the state Senate from Adair and Madison counties, to fill the vacancy caused by the election of the former senator to congress. He was re-elected at the next election, thus serving six years as state senator.

His last years were spent in his home in Greenfield, where he moved in 1913, and much of his time was spent at the public library, where he could always find books and magazine friends to his liking which he could always enjoy.

He is survived by his wife, Elizabeth H., his son, George G., and a daughter.

He passed on without regret for the past or fear for the future.

"To him death is but the beginning of life,
Not the close but the dawn of the day;
The end of all sorrow, the end of all strife,
With earth's barriers broken away."

Now, Therefore, Be It Resolved, By the Senate of the Fortieth General Assembly of Iowa, that in the death of L. M. Kilburn, the state and community where he lived have suffered the loss of an influential and honorable citizen; and

Be It Further Resolved, That a copy of these resolutions be spread upon the Journal of the Senate and that the secretary be directed to send an engrossed copy thereof to the family of the deceased.

ED M. SMITH.

HARRY C. WHITE,

GEO. B. PERKINS.

Senator Smith spoke in part as follows:

MR. PRESIDENT—It was not my pleasure to know Senator Kilburn intimately, in fact the first time I met him was six years ago when I made my first trip to Adair county in the beginning of the campaign which

resulted in my becoming a member of this body. He was a man well past the years usually allotted to man, living in peace and contentment in his quiet home in Greenfield. I thought it was due him to call on him as an ex-member of this body.

The brief hour that I spent in visiting with him I appreciated very much, as well as the words of counsel and advice that I received.

As the sketch just read in your hearing said, he was one of the old time school teachers and I might say he was a gentleman of the old school. He came to Adair county in 1869, when there was little more than a prairie schooner track over the prairie county. There, with his wife he settled on a farm, which has since become one of the finest stock farms in that county.

I think I might digress here and tell an instance in his political life that will reveal to you something of his character. He became a candidate for senator following the promotion of Senator Hager to congress. In those days candidates were selected by the delegate convention. At that time Adair and Madison county each had nine delegates. I am not sure whether prior to that time or not there had been any agreement of the two counties, but if there was it was disturbed somewhat by the promotion of Senator Hager.

The convention was held at the little village of Webster, in a beautiful natural grove. There on the exact line of the two counties they pitched their tents and balloted day after day until the total number of ballots ran up into thousands, nine votes for Kilburn and nine for his opponent, and the convention adjourned without reaching an agreement. In September they reconvened in Winterset and after balloting one or two days one of the Madison delegates voted for Kilburn. Let me say that before Senator Kilburn had completed his services here he was unanimously respected and liked by all.

He lived to a ripe old age, passing away a few months ago at Greenfield, where his wife and two children still live. He enjoyed the love and respect of all who knew him.

I might digress here to say that Mr. Kilburn, Mr. Hager and the delegate which changed the result of the balloting, all three passed away within a few months.

I take pleasure in paying my slight tribute to L. M. Kilburn and move the adoption of the resolution.

The resolution was adopted unanimously.

FRED G. HENIGBAUM

Fred G. Henigbaum, the son of Adolph and Elizabeth Henigbaum, was born in Albany, New York, June 10, 1864, and in the year 1875, removed with his parents to Davenport, Iowa, which place continued to be his residence until the date of his demise, September 7, 1921. He was married to Miss Laura Dean on November 4, 1897, and to this marriage was born one son, Ted, who with the widow and two brothers and two sisters survive to mourn his death.

In politics, Mr. Henigbaum was a republican, though not what some would call a hide-bound partisan. He was firm in his beliefs of the cor-

rectness of the doctrines of the republican party and followed thoughtfully his party's platform wherein the same did not violate the principles of the republican party as he understood them. He was not a politician in any sense of the word, but was a genuine and thorough, patriotic American citizen and had an unlimited faith in the future progress of the great state of Iowa. He was elected to the Iowa Senate by a splendid majority and served in the senate of the Thirty-sixth and Thirty-seventh General Assemblies, where he was loved by all who knew him and he served his district and state with distinction; with credit to himself and honor to the state.

For many years he was a sufferer and during all of his years of suffering he was uncomplaining and always sought to contribute to the comfort and happiness of others. He was unostentatious, charitable in his relationship with men, guided by his sense of justice and directed by a love of humanity. It may be truly said of him:

"Large was his bounty and his soul sincere,
Heaven did a recompense as largely send
He gave to misery, 'twas all he had—a tear,
He gained from Heaven, 'twas all he asked, a friend."

He gave to his community, his city, state and nation largely of his time, his talents and his love. He sought no greater reward than the reward of faithful friends which he gained in large measures.

Therefore, Be It Resolved, By the Iowa Senate that the state of Iowa, in the demise of the Honorable Fred G. Henigbaum, has lost one of its most distinguished, faithful and patriotic citizens; that the city of Davenport and the community in which he lived have been deprived of the benefit of the counsel and the influence of so noble a character, as our late lamented brother senator; that his family and near relatives have been deprived of the society, companionship and love of a faithful husband, a kind, generous, indulgent father and in this hour of their bereavement and sorrow we point them to the Father of all mankind as the only comfort in this their day of sorrow.

D. W. KIMBERLY,
W. G. HASKELL,
JNO. R. PRICE.

The resolution was adopted unanimously.

Senator Price spoke as follows:

MR. PRESIDENT—It is to be regretted that the senator from Scott is unable to be present on account of his illness; also the senator from Linn, who is absent on account of illness. Had they been present, particularly the senator from Scott, who knew Fred Henigbaum so intimately, there isn't any doubt but what a beautiful eulogy would be now pronounced, and it is to be regretted that my only knowledge and acquaintance of Mr. Henigbaum was during the Thirty-seventh General Assembly, which was his last session as a member of the senate of Iowa.

However brief that acquaintance might have been it was sufficiently long for me to know a very excellent man. I am reminded of the expression that his influence was as the gentle rain that falls from high heaven and laves and soothes the parched land. How true it might be said of him in that trite, common way, that he was seen and rarely

heard, yet he formed great estimates and judgments of the things that transpired in this senate. I often thought of Fred Henigbaum in all of his kindness and compassion for the frailties of men and how firm and abiding he was in his convictions of those things that were right and wrong. Whenever he formed his opinion as to right he was firm and determined and as courageous as a lion. He was as immovable as the Rock of Gibraltar, and yet he was a gentleman and as loving as the mother who clasps for the first time, her first born to her breast.

In my brief acquaintance with him I learned to know that his home was a shrine, his wife was its queen and his child the idol of his heart. He was uncomplaining in all things; charitable toward all mankind and toward all their frailties.

The senate of Iowa has lost a distinguished member and the community in which he lived has lost a loving citizen.

THEODORE BOLIVAR PERRY

Theodore Bolivar Perry was born at Cincinnati, Ohio, April first, eighteen hundred thirty-three, and died at Albia, Iowa, May fourteenth, nineteen hundred twenty-one, aged eighty-nine years, one month and twelve days. His parents were Louis Franklin Perry and Margaret Nixon Perry. In the year eighteen hundred fifty he removed with his parents from Cincinnati, Ohio, to Burlington, Iowa, and from that time until his death he was a resident of the state of Iowa, and his life became a part of its history. His youth was spent with his mother and father, brothers and sisters, at Burlington and Osceola and other points in Iowa. In his young manhood he taught school in Wapello, Polk, Warren, Madison and Monroe counties, and was distinguished as an educator in those pioneer days.

When the first board of education was created in 1857 he was chosen one of its members and served throughout its existence. In May of 1852 he made Albia his home, and entered the law office of Hon. J. S. Townsend, circuit judge of that district, where he read law, and on April 17, 1854 he was admitted to the bar by a committee in the district court composed of the late H. H. Trimble, George Wright and H. B. Hendershott, all of whom were distinguished and able lawyers of their day.

Mr. Perry at once entered into the practice of law and formed a partnership with Judge Townsend, and from that time until almost the time of his death he was reputed to be one of the most able and distinguished lawyers in southern Iowa.

Fidelity to his clients and his cause guided him throughout the relationship. He had a natural faculty for discerning the controlling feature and pivotal point in every case and concentrated every honorable effort to bring this point clearly to the attention of judge and jury.

He was a distinguished lawyer of rare ability and high ideals. He was faithful to his clients, true to his cause, untiring in his efforts to obtain justice for his clients. He belonged to that old school which is fast passing away, and followed not so much precedent as he did ad-

herence to principles, and he depended upon his reasoning powers which were unusually strong, to clearly, faithfully and honestly present the same to the court and jury.

In politics he was a democrat and believed in the principles of the democratic party, was a leader in its councils, and exercised a salutary influence in forming its policies in the state and shaping its platforms and procedure. He was elected to the Iowa senate, as a democrat, from the fifteenth senatorial district, composed of Marion and Monroe counties and served in the twenty-fourth and twenty-fifth General Assemblies, with credit to himself and honor to the state. He was able, clear visioned, conscientious and honest and persistent in having enacted into law those high ideals in which he believed. Many of his ideas he succeeded in having placed in the statutes of Iowa, which to this day are a blessing and benediction to the people of Iowa.

In eighteen hundred fifty-four, Mr. Perry was united in marriage with Minerva Allison of Eddyville, Iowa, who departed this life in November, eighteen hundred sixty-nine. To this union was born one son, Fernando, who died in infancy, and one daughter, Mrs. Florence Pennington, of Albia, Iowa, who survives him.

In October of eighteen hundred seventy, Mr. Perry was united in marriage with Amanda Craig, and to this union was born Eldon C. Perry, who died in early childhood; Mrs. Grace Perry Miller and Theodore B. Perry, Junior, who with the widow, survive the death of Mr. Perry and mourn his loss.

Mr. Perry was intensely interested in the pioneer history of the state of Iowa, and associated himself with all organizations in the state which have to do with the preservation of that history.

In the passing of Theodore Bolivar Perry, the state of Iowa has lost one of her most distinguished sons. His family has lost a good husband, a kind and loving parent, and his community an energetic and public member. The nation has lost a patriotic son.

JNO. R. PRICE,
GEO. S. HARTMAN,
C. J. FULTON.

Senator Price spoke as follows:

MR. PRESIDENT AND SENATOR:—I believe that an apology on an occasion of this kind is inexcusable, but I must say to this senate that on account of the arduous duties imposed upon us here, I have been unable to give even a moment's thought to the preparation of a eulogy on the life and character and the service of this distinguished son of Iowa. It is a pleasure and a pleasant duty to stand in the presence of the dead and refer to the beautiful parts of the life and character of those who have passed to the Great Beyond to receive the plaudits of the Divine Master. As we stand here, how fitting the words:

"Can storied urn or animated bust
Back to its mansion call the fleeting breath?
Can Honour's voice provoke the silent dust,
Or Flatt'ry soothe the dull cold ear of death?"

At once the answer is "We cannot restore to life those who have passed to the Great Beyond." Neither can we say that we would do so if we could. Standing in this presence this evening, how glad we are of the opportunity to draw the mantle of charity over the frailties of our distinguished friend and brother; how delightful for us to review the lives, and in particular that grand and noble part of the lives, of those we knew when living.

What I shall say shall be wholly extemporaneous concerning the life of Theodore Perry. From the obituary you know that he was born in Cincinnati, Ohio, in 1833, ninety years ago. He came to Iowa in 1851. He was a school teacher in those days when education was rare; he was a well educated man; he was a distinguished teacher in southern Iowa, and all through his life and in all of his achievements if he doted on one thing more than any other it was the fact that he was a pioneer school teacher.

I remember Mr. Perry while I was yet a boy, and a great big part of this man was his unusual and splendid ability as a lawyer. The lawyers here well understand what I mean in what I am about to say—some of the others may understand. To listen to Theodore Perry in the argument of a legal proposition before the courts was equal to the reading of a text book on the particular subject. I shall never forget the first time I heard him argue a motion for a continuance. The one great feature of his motion was that if the motion be granted substantial justice would be done to all parties, and if the motion were not granted, there would be a miscarriage of justice; while technically wrong yet morally right, after all his motion prevailed. I thought at the time and years afterwards what a terrible loss it is, not only to the legal profession but to the state and to the nation, that we have so many case lawyers and so few who really know the principles of the law involved that they are undertaking to present to the court. They invariably say "If the court please I have a case decided by the supreme court that is on all fours with the facts in this case." I am honest when I say that I never heard Theodore Perry present a proposition to the court in that way. How clearly and distinctly would he go back to the principles that underlay everything that was involved in the point, and bring it so clearly to the attention of the court before whom he was trying the case, as to leave no doubt.

In politics he was a democrat; biased and prejudiced like all of us are in our political views, and yet charitable and kind.

It is to be regretted by southern Iowa that Theodore Perry passed out of life without having written a history of that part of the state, and particularly that history which referred to the old circuit riding lawyers of the pioneer days. He had a most vivid recollection of the things that occurred during his lifetime. He knew the history of Monroe county; not only its settlement; not only the lands, the topography; not these things alone, but the history of the early people. He knew intimately everyone who settled there; he knew intimately the families; the pioneers who passed away; the children that were born; the sons and daughters that married, and the offspring of those marriages, and no man had these so clearly in mind as Theodore Perry. And then he

knew the history of the surrounding country and particularly that part which was close to his circuit.

He was honorable; he was upright; he was just. He took great interest in the civic affairs of his community. He served on the school board of Albia for a number of years and took great interest in the progress of the district. His was an unselfish interest, and he was an untiring worker. What I say in connection with his school work was equally applicable to all of his efforts in connection with the community in its other activities.

I say, Mr. President, that it is a pleasure for me to move the adoption of these resolutions, that they be engrossed and a copy thereof sent to the widow of Mr. Perry.

The resolution was adopted unanimously.

WILLIAM HENRY BERRY

MR. PRESIDENT—Your committee which was appointed to report resolutions commemorating the life, character and services of the late William Henry Berry, beg leave to submit the following report and move its adoption:

William Henry Berry was the son of Benjamin Carlton and Isabelle Van Eaton Berry and was born in Cass county, Illinois, October the 23rd, 1849, and became a resident of the state of Iowa in 1867, and here commenced his studies in Simpson College from which he was graduated in 1872.

He was united in marriage to Alice M. Barker, a classmate, May 12, 1875, and is survived by his wife and the only child, Don L. Berry.

Mr. Berry was admitted to the bar in August, 1873, and commenced upon the practice of his chosen profession and continuously practiced at the bar in Warren and adjoining counties until the date of his death, which occurred March 25, 1923.

As a lawyer Senator Berry was of the type of advocate who, after having become interested in the cause, pursued a diligent prosecution of the cause until it was finally concluded, and never allowed local passion or prejudice to swerve him from his client's interest. Mr. Berry was a lawyer whose ideals were high and he always sought to maintain the highest legal ethics in connection with his practice and was noted for advocating sound, honest justice rather than being bound to some precedent which had outlived its usefulness. He was never afraid to venture out into new fields if he felt that his cause was just, and was not governed by custom or practice if the same had become obsolete. He enjoyed his profession and gave his professional service to his community and any other public activity whenever the occasion arose.

Mr. Berry was elected Senator from the Eleventh Senatorial District, comprising the counties of Warren and Clarke, in the year 1895, where he served with distinction and was regarded as one of the ablest law makers that ever sat in that body. Senator Berry was at once recognized as one of the able debaters and clear thinkers in this body, and was a member during the period when the Code of 1897 was written, and

many of the laws written into the statutes of the State of Iowa during his service show the sound judgment and careful legal training of Senator Berry.

After his services in the Senate were concluded he was appointed chairman of the Board of Parole, and the work of this new board largely fell upon the shoulders of Senator Berry, and owing to his administrative ability and his keen yet sympathetic qualities he was able to direct the functions of this body to such an extent that it at once gained the confidence of the people of the state of Iowa, and the practical, common-sense methods applied to its operations caused this activity to find a firm place in our criminal and penal statutes.

Senator Berry was a man of vigorous physical type, and combined with his alert mental equipment made one of the leading figures in public life in the state of Iowa, and because of his unquestioned integrity and his ability to quickly analyze any situation that arose was regarded as one of the leaders in political thought in his day, and was frequently mentioned for the highest offices in his state, and while he did not seek political preferment a man with the same ability and less decided convictions would doubtless have made greater progress along this line than Senator Berry. He was never willing to sacrifice a principle in order to gain the place.

Senator Berry had a virile, energetic personality and was always willing to lend his services for the advancement of the people in his community, and as time goes on will always be referred to as one of the outstanding figures of his part of the state.

Whereas, his record as a man, a legislator, a public official and a citizen has been of the highest character; therefore

Be It Resolved, That the Senate take this occasion to express its high appreciation of his lofty character and faithful public service, and adopt this memorial in the name of the people of Iowa as a tribute to his name and memory;

Also Be It Further Resolved, That these resolutions be spread upon the records of the Senate and that the same be engrossed and a copy thereof sent to his surviving spouse, Mrs. Alice Berry, Indianola, Iowa.

LLOYD THURSTON.

HARRY C. WHITE,

J. L. BROOKHART.

The resolutions were adopted unanimously.

Senator Thurston spoke as follows:

I know the word "outstanding" is now frequently used in connection with the services of men who have reached somewhat of a high place in their communities, but I really believe the word more clearly typifies Senator Berry than any word I could use. I know the members of this chamber who were acquainted with Senator Berry will verify and confirm that he was not hampered by custom, but was a man who always stood up for his own ideas in public matters, although frequently they were somewhat peculiar as applied to the situation at hand.

I know that Senator Berry was highly regarded by the people in his own community and was well known throughout the state of Iowa.

EDGAR P. FARR

MR. PRESIDENT—Your committee which was appointed to prepare resolutions commemorating the life, character and services of Edgar P. Farr of Woodbury County, Iowa, beg leave to submit the following report:

Edgar P. Farr, of Sioux City, Woodbury county, Iowa, was a native of this state, born near the city of Maquoketa, in Jackson county, Iowa, on the eleventh day of January, 1859. He attended the public schools of the county and later attended the Northern Indiana College from which he graduated with the degree of B. S. After graduation, he became a teacher in the Western Normal College of Shenandoah, Iowa, being professor of Higher Mathematics. He graduated from the Law Department of the State University of Iowa with the law class of 1887, and in the fall of that year located at Sioux City, where he lived and practiced law up to the time of his death on the fifth day of February, 1922.

Mr. Farr achieved marked success in the practice of his profession, more especially as a counsellor and adviser. He was a most painstaking and zealous worker in the interest of his clients and was ever faithful to his trust. He never commercialized the profession of law and the question of what he was to make out of a client was never uppermost in his mind, and be the matter intrusted to him great or small, or was the client rich or poor, he always gave the best that was in him to give. Many of the clients which he had at the time of his death had been such through nearly the whole of his professional life.

He took a great interest in the civic and political affairs of the state, county and city. He served on the City Park Commission of Sioux City until the Commission was abolished by the city adopting the Commission form of government. He served as State Senator from Woodbury county, in the Thirty-fifth and Thirty-sixth General Assemblies, being elected as a democrat in a county largely republican.

On the twenty-seventh day of September, 1892, he was united in marriage with Minnie E. Ely of Iowa City, who was then a teacher in the Sioux City High School, and who survives him. To this union one child was born, a son, Daniel E. Farr, who was associated with his father in the practice of law at the time of his father's death.

Now Therefore, Be It Resolved, By the Senate of the Fortieth General Assembly of Iowa, that in the death of Edgar P. Farr, the state and community where he lived, have suffered the loss of an influential and honorable citizen: and

Be It Further Resolved, That a copy of these resolutions be spread upon the Journal of the Senate and that the secretary be directed to send an engrossed copy thereof to the family of the deceased.

B. M. STODDARD.

CHAS. M. DUTCHER,

ED H. CAMPBELL.

The resolutions were adopted unanimously.

Senator Stoddard spoke as follows:

I knew Edgar P. Farr as a kindly man. I believe that the office of

state senator was the only elective political office which he ever held. During the time that he was a member of this Senate a bill was passed which has been since called the "Farr Paving Bill," which provided for a method of paving the roads in the state from the sparsely settled part of a city into the business district.

Senator Farr was then in the Thirty-sixth General Assembly and his seat was in the vicinity of where my own seat is now. I will never forget the friendly interest he expressed for me at that time. He was indeed a kindly man and as such was truly loved.

JOHN ALEX YOUNG

MR. PRESIDENT—Your committee appointed to prepare suitable resolutions commemorating the life and service of John Alex Young of Washington county, Iowa, a member of this Senate during the Twenty-ninth, Thirtieth and Thirty-first General Assemblies, beg leave to report as follows:

John Alex Young, a son of James N. Young and Sallie (Eyestone) Young, was born in Rush County, Indiana, July 13, 1838, and came to Washington county in 1843 when he was five years old, and was a resident of Washington county, Iowa, continuously thereafter until the date of his death, April 20, 1921. He was therefore one of the pioneers of Washington County and of Iowa. He attended the district school and attended school at the Iowa Wesleyan College in Mt. Pleasant, and began teaching in the public schools when he was nineteen years old.

On October 4, 1860, he was married to Elizabeth A. Runyon at Washington, Iowa, and made his home on the farm until 1871. When his country needed men for the Civil War, John Alex Young early answered the call and on August 19, 1862 enlisted in Company A of the 25th Iowa Infantry, and upon the organization of the company, Senator Young was made 2d Lieutenant; was later promoted to 1st Lieutenant and then was made Captain of his company. In January, 1863 at the battle of Arkansas Post, and again at Ringgold, Georgia, the same year, Senator Young received wounds while in the service. His regiment during the war participated in many important engagements among which was the Siege of Vicksburg and Sherman's march to the sea, and also participated in the grand review which took place at Washington, D. C., after the war.

After his return from his service in the army, Senator Young became active in the affairs of his county and became one of the leaders in political activity, affiliating with the republican party at all times. As a result of his wounds in the army, he was physically not strong enough to conduct his farming operations, and in 1871 was elected County Auditor of Washington county, in which capacity he served the county efficiently for four years.

After completing this service the great work of his life began when he was made assistant cashier of The Washington National Bank of Washington, Iowa, in 1874, and later in 1878 became the cashier and guiding spirit of the institution, and through his efforts, skill and ability he was able to build up this institution so that at the end of

thirty-two years' service in the bank he had made it the leading banking institution of Washington county.

In his dealings with the patrons of his bank and with the public he was always kind and considerate, yet firm and determined, and while he could realize and sympathize with the interests of his customers, yet he could firmly and actively correct and chastise recalcitrants. He resigned his position as cashier in 1910.

Senator Young was elected to the State Senate from the Washington-Henry county district to the Twenty-ninth General Assembly where he served for three sessions, and his service in the General Assembly was always marked with fairness, courtesy and ability. At one time Senator Young was a candidate for Congress and had a fair chance of being nominated at the republican convention, but because of the condition of his health and the pressure of business affairs in which he was interested, he withdrew from the convention before the nomination was made.

Senator Young was a consistent member of the Methodist Episcopal Church of Washington, Iowa, for many years. He left surviving him his widow and two children, Harvey S. Young, who now serves as cashier of the bank which his father had built, and Mrs. A. W. Hall of Colfax, Iowa, who is the mother of Captain Norman Hall of aviation fame during the World War.

Senator Young was at all times an ardent supporter of republican principles and a loyal patriot during the World War. When his grandson, Norman Hall, was making his record, Senator Young made the statement that he had been called Auditor Young, Cashier Young, Captain Young, and now he was called Norman Hall's grandfather, and that he was prouder of that name than any of the others.

After retiring from active work in the bank, Senator Young spent most of his winters either in California or in Colfax where his daughter lived. He was an active member of I. G. White Post of the G. A. R., and after being away from the bank for several years, he was elected and served as president of that institution until the time of his death.

Therefore, Be It Resolved by the Senate of the State of Iowa that in the death of Honorable John Alex Young the State of Iowa and the county in which he resided, have lost a useful, earnest, honest, progressive and upright citizen, a valiant soldier and a man whose life activities were fearless in the cause of right and justice.

Be It Further Resolved, that this Senate extend to his family its sincere sympathy in their great bereavement; and

Be It Further Resolved, that these resolutions be printed in the Senate Journal, and that the Secretary of the Senate be directed to forward an engrossed copy to the family of the deceased.

J. L. BROOKHART,
BYRON W. NEWBERRY,
J. A. NELSON.

The resolutions were adopted unanimously.

Senator Newberry spoke as follows:

I served with Senator Young of Washington County during the Thirtieth and Thirty-first General Assemblies. He served with distinction

during the civil war, attaining the rank of Captain. For many years he engaged in banking. I recollect his coming to my desk one day during the Thirty-first General Assembly and saying, "It is just thirty years ago today that I became cashier of a bank at Washington and I have served in the bank ever since." I understand that his son is now the manager of that bank and that he has a grandson who is cashier of a national bank at Arlington, Iowa. They are a family of bankers. He was the grandfather of Norman Hall, the renowned aviator and author.

Senator Young was an able and conscientious legislator. He was the author of the first anti-discrimination law enacted in this state, which applied to petroleum and its products. This law has since been extended, constituting the present law.

Iowa in his death lost a most worthy and useful citizen.

ALVA C. HAGER

MR. PRESIDENT—Your committee appointed to prepare resolutions commemorating the life, character and services of Alva C. Hager, beg leave to submit the following report:

Mr. Hager was born in Chautauqua county, New York, October 29, 1849, and when he was ten years of age moved with his parents to Iowa where they farmed in Jackson county. Six years later they moved to Jones county where Mr. Hager received his high school education in the Monticello and Anamosa High Schools.

In the year 1874 he entered the law department of the University of Iowa, receiving his degree a year later. After passing the state bar examination he started his law practice at Greenfield, Iowa.

He was presiding officer of the Republican state convention in 1892. Was elected a member of the state senate, in 1893, and was re-elected the next term but resigned to go to Congress in 1894. He was Congressman from Iowa for three terms, from 1894 to 1900, representing the ninth district.

In 1900 he returned to Greenfield, and in 1901 moved to Des Moines where he entered a partnership with O. R. Patrick, later with Charles L. Powell. He had his office in the Iowa National bank building.

He was a member of the Des Moines Club and golf and country club and was active in many civic organizations. During the war he was a leader of liberty loan drives and was in much demand as a speaker.

From 1911 to 1918 he was president of the Commercial Savings Bank, and at the time of his death was also a director of the Des Moines Silo Company.

He had been in ill health for many months, and on January 18th was taken to Iowa Lutheran hospital, where he died January 30, 1923.

He is survived by a widow, two daughters and five grandchildren.

Now, Therefore, Be It Resolved, By the Senate of the Fortieth General Assembly of Iowa, that in the death of Alva C. Hager, the state and community where he lived, have suffered the loss of an influential and honorable citizen; and

Be It Further Resolved, That a copy of these resolutions be spread upon

the journal of the Senate and that the secretary be directed to send an engrossed copy thereof to the family of the deceased.

ED M. SMITH,
LLOYD THURSTON,
C. J. FULTON.

Senator Goodwin spoke as follows:

Just a word in regard to Senator Hager. I did not know Mr. Hager when he was in the Senate, nor at the time he was in Congress. I first came in contact with him during the presidential campaign in 1912. Those were stirring times, if you will remember. The great Republican party was divided and while we differed with Mr. Hager we always respected his opinion, as he was very earnest in what he thought.

Mr. Hager at that time was not a young man, in fact he was over sixty years of age.

When the war came on Mr. Hager took a large part in the City of Des Moines, in heading all the public welfare and bond drives. Not only at that time was he in great demand here, but after the war he was chairman of the drive for public welfare.

A year or so before he died he headed one of the large drives which raised a quarter of a million dollars. This would not be a hard matter for a young man, but they were arduous times for a man of that age, and I feel that I should acknowledge it and express the gratitude which the people of Des Moines and the State of Iowa feel for him.

Senator Smith spoke as follows:

MR. PRESIDENT AND SENATORS—The resolutions just read concerning the life of Alva C. Hager indicate that he was born in the state of New York and came to Iowa when a boy. After completing his course at the State University of Iowa he moved to Greenfield, Adair county, and was there engaged in the practice of law.

It is rather peculiar, I think, that the counties of Adair and Madison, while bound together in the senatorial district, never have been united by railroad, and I am compelled to say that I never, to my recollection, met Mr. Hager.

He was active in public life while he was yet a boy, and his services in the Iowa Senate and also in the halls of the national Congress were meritorious.

I think it is proper at this time that you who were permitted to be associated with him in this body should have the opportunity of commenting on the life and service of Alva C. Hager.

I move, Mr. President, that these resolutions be adopted, that they be engrossed and a copy thereof sent to the widow of Mr. Hager.

The resolutions were adopted unanimously.

JAMES ELERICK

MR. PRESIDENT—Your committee named to prepare a fitting memorial to commemorate the service of Captain James Elerick to this state and this nation reports as follows:

Captain James Elerick was born April 6, 1836, in Belmont county, Ohio, and died August 7, 1922, at Monrovia, California.

The parents of James Elerick were pioneers of Iowa. They came to the state in 1849, settling in Van Buren county at a place near where Douds, a little village on the Des Moines river, now stands. Here the boy of thirteen developed the strength of character and those qualities which afterward assured him of leadership among those with whom his lot was cast. Here he received the narrow training afforded by a country district school. Here was his home until a few years ago, when, having no cares and no family ties to prevent the change, he took up his abode with his daughter and only living child, Mrs. George Selmon, residing at Hinkley, California.

The life of Captain Elerick embraced that period of dissension which threatened the dissolution of the Union. In those days of trial, discouragement and disaster, he bore a courageous part. Like the great majority of the young men of the time who had breathed the free air of Iowa, he responded with fervor to Lincoln's call for troops. On July 17, 1861, at Knoxville, Illinois, when he was in the employment of a milling company, he enlisted in Company A, 59th Illinois Volunteer Infantry. In December, 1862, he was promoted to its captaincy. He served for a time on the staff of Major General T. Wood. For more than four years he was in active service. To follow him through all the vicissitudes of the war would be to tell a story of wondrous interest. He took part in twenty-seven battles. A mere list of the important engagements alone is impressive. He was at Pea Ridge, Corinth, Storm River, Perryville, Liberty Gap, Chickamauga, Lookout Mountain, where he was twice wounded, Mission Ridge, Rocky Ford, Resaca, Burnt Hickory, Kenesaw Mountain, Rough Station, Jonesborough, Atlanta, Franklin and Nashville. In that mighty struggle he shared the honor of that lowly host, the common soldiers, by whose heroic efforts the final victories were won and the Union preserved. On Christmas Day, December 25, 1865, at San Antonio, Texas, he received an honorable discharge from the army, a gift that meant his sword was no longer needed. Willingly he returned to the paths of peace and cheerfully took up anew the duties of a private citizen.

In 1880, Captain Elerick was chosen to represent Van Buren county as a member of the House in the Nineteenth General Assembly. In 1889, he was elected sheriff, an office he continued to hold for four years. In 1903 and again in 1905, he was sent to the Senate from the district composed of the counties of Jefferson and Van Buren, serving in the Thirtieth and Thirty-first General Assemblies and in the regular and the extra sessions of the Thirty-second General Assembly. He was a careful and painstaking legislator, appreciated for his conservatism, good judgment and wise counsel. He was watchful of the interests of his constituents, but guarded always the interests of that larger constituency he recognized as his in the people of the state.

In private as in public, Captain Elerick stood foursquare to the world. Modesty cloaked his virtues, which were not absent but only concealed. His heart was warm and ready in need and in secret to do kind acts. His honesty was unquestioned. His word required no discount. In

all the relations of life he so carried himself as to command universal respect. As a soldier, as a husband and father, as a friend, as a neighbor, as a private citizen, and as a public official, he was true to the trusts which rested upon him.

Captain Elerick rests beside his wife in Zion Lutheran cemetery near Douds, Iowa.

Now, Therefore, Be It Resolved, That the Senate of the Fortieth General Assembly recognizes that in the death of Captain James Elerick there has been lost one who in the flush of his young manhood dedicated his strength, even life itself, to the preservation of the Union, and afterward in public office was a faithful servant of the state.

Be It Also Resolved, That this memorial be spread upon the journal and that an engrossed copy be transmitted by the secretary to the daughter of the deceased.

C. J. FULTON,
FRANK SHANE,
JNO. R. PRICE.

The resolutions were adopted unanimously.

Senator Fulton spoke as follows:

MR. PRESIDENT—I believe Senator Newberry is the only member of this body who had an intimate acquaintance with Captain James Elerick. I knew him but slightly as he was not a resident of my county.

Captain Elerick was a native of Ohio, but came to this state in his youth. He was one of our pioneers.

In his early manhood, as many of the boys in southeastern Iowa did, he went over into Illinois to improve his prospects. While there Lincoln called for troops and he enlisted in the Army of the Union. In little more than a year he was promoted to the Captaincy of his company. He was in many battles, from that of Pea Ridge to the siege of Atlanta and the capture of Franklin and Nashville. After more than four years of service he was mustered out. I need not say that with this record he was a faithful soldier.

Captain Elerick was a republican in politics. He could not well have been anything else reared as he was in the anti-slavery and free soil sentiment in southeastern Iowa, and after that long service in the army.

On his discharge from the army he returned to the neighborhood in which the greater part of his life was spent. There he was a good neighbor, diligent in his business and faithful to his friends. While there he was selected to serve his county as sheriff. He performed his duty in that office as efficiently as he performed his duties in the army.

Later Captain Elerick was chosen to represent the second district composed of Jefferson and Van Buren counties in this senate. He was not at all brilliant, but he was a safe and sound counsellor. He could be depended upon to act always in the direction he thought was for the best interests of his district and of the state. If he had any prejudices, he was able to overcome them. He was honest in his convictions.

I wish I were able to pay him a more worthy tribute. I hope that I may emulate his virtues and prove as true to the trusts reposed in me as he was true to the trusts reposed in him.

Senator Newberry spoke as follows:

It was my privilege to serve with Captain Elerick in the 30th, 31st, 32nd and the extra session of the 32nd General Assemblies in the Senate.

Captain Elerick was a dependable man, genial and companionable. It was my privilege to have served with him on the same committee. I believe he was a member of the Committee on Agriculture, of which I was a member during these three sessions. During these sessions the drainage laws of the state, the pure food laws, stock food laws, pure seed laws, pure drug laws, and others along that line were enacted. Senator Elerick rendered very efficient service in the enactment of these laws.

He was attentive to his duties and made a very excellent senator. It devolved upon him at numerous times to move the previous question, and he did it at the right time and in the right manner. The senator in this was a very useful Senator, as we will all acknowledge. He was a man of few words, genial and dependable.

It is with pleasure I recall Captain Elerick. A good, capable man has gone to his reward.

ROBERT C. STIRTON

MR. PRESIDENT—Your committee appointed to prepare resolutions commemorative of the life, character and public service of Senator Robert C. Stirton, late of Jones county, Iowa, beg leave to report the following memorial:

Mr. Stirton was born in Devonshire, England, April 2, 1861. His father and mother were Robert and Anne Stirton, both natives of Scotland. The father died when Robert was only two years of age, and shortly thereafter he was taken by his mother to Scotland, where they lived until 1871. During that year the widow and her son and daughter immigrated to America, and first located in Delaware county, Iowa. In 1873, they removed to Monticello, which had since been Mr. Stirton's home. He worked upon farms in the vicinity of Monticello during the summer months, while a youth, and attended the Monticello schools during the winter seasons and therein acquired a practical education, which was added to during the entire period of his life by his individual investigations and his ardent desire to secure knowledge. He never, during his entire lifetime, ceased to be a learner. He was a constant reader of good books, which included those of a serious and educational nature, and having a good mind and memory, he assimilated what he read, and as a result, he became an intelligent, well informed man.

After leaving school he taught school for several terms in the country, and in 1887, he was appointed assistant postmaster, but resigned that position three years later to enter the employment of G. W. and G. L. Lovell, early and successful bankers of Monticello. In 1897, when the private banking concern of G. W. and G. L. Lovell was organized as a state bank, he was selected as its cashier, and held that office for 24 years.

In 1903, Mr. Stirton was nominated upon the democratic ticket for state senator, from Jones and Cedar counties, and was elected by a majority of 471 votes. He served during the Thirtieth, Thirty-first, and Thirty-second General Assemblies. He introduced the two cent fare bill at the first session in which he participated, and he favored the passage of the anti-pass law, which in that session lost by only one vote. He also favored a primary election law, and voted for the resolution to elect United States senators by the direct vote of the people. He voted for the pure food law, the law to regulate and prohibit child labor, and in one of his later terms, for the anti-pass bill, which then became a law. In 1907, he was nominated for congress by the democratic party from the Fifth district, but failed to be elected, because of the overwhelming republican majority in the district. In 1908, he was candidate for presidential elector from the Fifth congressional district on the democratic ticket. Mr. Stirton, during his legislative career, had the confidence of the republican members, as well as his political associates in the assembly. At one time he was offered a position upon the state board of control.

Mr. Stirton, because of his wide reading, and a temperament that took note of the humors and foibles of life, was an agreeable companion. He was a careful and frugal business man whose word was regarded with the same degree of sanctity as a written undertaking. He was painstaking in his business transactions, and his reports on all matters of trust were always accurate, and expressed with a clarity that made them plain beyond the possibility of mistake. He loved his family, and his constancy of devotion to his wife, long an invalid, indicated a phase of his character, which the friends who knew him best did not expect to be otherwise.

Mr. Stirton, through the opportunities created by his public life, acquired an acquaintanceship that extended over the state, but here where he was best known, he always remained "Bob." He liked the intimacy of companionship that justified such a familiarity. He was a splendid citizen, and in his death, Monticello loses not only a good business man, but one whose interests were above and beyond the routine of business, and whose sympathies were as broad as the wants of humanity.

Robert C. Stirton was a good man, an honest, upright citizen, neighbor and friend. He was one of God's noblemen, the very type of true manhood, he aimed to be just to his fellowmen, to treat all with whom he came in contact with due consideration. He never once entertained a feeling of animosity against a friend or a neighbor. On the contrary, his hand always reached out in recognition of worth, surely there was goodness in the heart beat of every man. His geniality and kindly sympathetic nature made him a beloved companion everywhere. A true man and a noble citizen of our state has gone to his reward.

Now, Therefore, Be It Resolved, By the Senate of the Fortieth General Assembly of Iowa, that in the death of Senator Robert C. Stirton, the state and community where he lived has suffered the loss of a true and honorable citizen; and

Be It Further Resolved, That a copy of these resolutions be spread

upon the journal of the Senate and that the secretary be directed to send an engrossed copy thereof to the family of the deceased.

J. K. HALE,
BRYON W. NEWBERRY,
CARL W. REED.

The resolutions were adopted unanimously.

Senator Newberry spoke as follows:

Somehow this is rather a sad occasion to me, having to recall at this time the death of three different senators who served with me during the 30th, 31st, and 32nd General Assemblies, namely: Senators Stirton, of Jones, Senator Elerick, of Van Buren, and Senator Young, of Washington.

Senator Stirton was elected to the 30th General Assembly as a democrat from a usually republican district. He was a man of broad vision, progressive ideas, and he had the courage of his convictions.

While there were quite a good many more democrats in the Senate in those days than there are now, I will not say that the quality was any better then than now, for the quality of the minority of the present General Assembly is good, but I would say that Senator Stirton was the peer of any Senator in the General Assembly at the time of his membership. He supported the enactment of the primary election law, a republican measure over which there was a great contest. He did that because he thought it was right.

Senator Stirton during those sessions was here with his family, which was composed of his wife and two young daughters, who attended the public schools during those two sessions. These daughters are now married. His wife, a splendid woman, for many years has been a helpless invalid. She is now being cared for by one of her daughters. Senator Stirton thought a great deal of his home. He was a splendid husband and father. He was a most excellent business man. From early manhood he was engaged in the banking business and was connected with that business up to the time of his death. He was not a showy man, but he was a resolute business man, one of those men who make their mark in the community in which they reside, and he was respected by every one in his own community and everyone who knew him in the state. He was a most excellent friend, neighbor and citizen.

NATHAN MARSH PUSEY

MR. PRESIDENT—Your committee named to prepare a memorial to commemorate the life and service of Nathan Marsh Pusey, submit the following report:

Nathan Marsh Pusey was born in Washington county, Pennsylvania, on the 21st day of June, 1841. In 1849 the family moved to Baltimore where Mr. Pusey was educated. Mr. Pusey was educated in a private school conducted by Mr. Ashbury Morgan and then took up the study

of law in the office of Judge Stockbridge, the father of Judge Henry Stockbridge, Justice of the Court of Appeals of Maryland. He was admitted to the Bar of Maryland in 1864 and in 1865 married Miss Gertrude Morgan. He continued to practice law in the city of Baltimore until his removal to Council Bluffs in 1878. In 1882 he formed a partnership with Col. W. F. Sapp and the firm of Sapp & Pusey were actively engaged in the practice of law in Council Bluffs until the death of Colonel Sapp in 1892. Mr. Pusey served as a Senator from Pottawattamie County, Iowa in the regular session of the 26th General Assembly and in the extra session of the 26th General Assembly and in the 27th General Assembly. The Code of 1897 was adopted at the extra session of the 27th General Assembly. His work in the preparation of the Code is regarded as extremely noteworthy. He was an excellent lawyer of broad experience and unlimited industry. He was a brother of W. H. M. Pusey, one of the pioneer law makers of the state and a member of the Senate for the Seventh and Eighth General Assemblies and a representative in the Forty-eighth Congress. Mr. Pusey died in Council Bluffs, October 9, 1922.

Therefore, Be It Resolved, That in the death of Mr. Pusey the Senate recognizes the loss of a valuable citizen who desired and labored to improve and upbuild his community and state, and takes this occasion to express its appreciation of his character and public service, and to extend its sympathy to his family in their bereavement; and

Be It Further Resolved, That these resolutions be spread upon the journal and a copy of them transmitted by the secretary to the family of the deceased.

W. S. BAIRD,
BYRON W. NEWBERRY,
J. L. BROOKHART.

The resolutions were adopted unanimously.

RICHARD PRICE

MR. PRESIDENT—Your committee which was appointed to prepare resolutions commemorating the life, character and services of Richard Price of Madison county, Iowa, beg leave to submit the following report:

Richard Price was born in Freeport, Ohio, February 28, 1848. His father was a farmer, and the son attended school in what time he was not occupied in the duties on the farm. Being an apt pupil in school he made rapid advancement, especially in the English branches.

About 1861 his parents removed to Iowa, and settled in the south part of Union township, Dallas county. He remained at home with his father, working summers and attending school winters until seventeen years of age.

In the spring of 1869 he entered the employ of Getchell & Sons, lumber dealers in Dexter, Iowa, remaining in that city about two years. He then was placed in charge of the firm's business in Earlham. Four years later this firm placed him in charge of another branch of their business at Colfax. In 1878 he was transferred to Winterset, and had

charge of their business at that place until the spring of 1879* when he, in connection with Fred Strong bought out this business and continued it under the firm name of Strong & Price.

Mr. Price was married September 14, 1871, to Miss Martha Camblin, of Dayton, Ohio, and their family consisted of three children, one of whom died in 1876.

Mr. Price was a man of cultivation, well informed, a good speaker, clothing his ideas in appropriate words of which he had a ready command.

He was elected to the Iowa State Senate in 1886 and served during the 22nd and 23rd sessions.

He died after having suffered from two strokes of paralysis, in Mt. Vernon, New York, May 5, 1922.

ED. M. SMITH,
GEO. S. HARTMAN,
H. J. MANTZ.

The report was adopted unanimously.

MRS. HENRY T. REED

Mrs. Henry T. Reed, the beloved mother of our honored and respected associate, Senator Carl W. Reed, died at her home at Cresco, Iowa, on March 30th, 1923, at the age of seventy-five years.

Mrs. Reed was born in LaPorte county, Indiana in the year 1848. She was one of the pioneer residents of Howard county, coming to the county in 1857 with her parents, who located on a homestead near New Oregon, the then county seat. In 1870 she was married to Henry T. Reed, one of the leading lawyers and jurists of the state, who served as a member of the House in the Sixteenth General Assembly, and for eighteen years occupied the bench of the United States district court for the Northern District of Iowa, from 1904 to 1922, which position he filled in a most creditable and satisfactory manner.

Mrs. Reed is survived by her honored husband, Judge Henry T. Reed, and two children, Mrs. Dr. Daly and Senator Carl W. Reed, both of Cresco, Iowa.

A true, noble Christian woman in the fullness of years has gone to her reward. Her blessed memory will always be a solace and comfort to her surviving loved ones.

Therefore, Be It Resolved, That the Senate takes this occasion to express its appreciation of the exalted character, life and unselfish devotion of this worthy woman and at this time extend to her surviving husband, son and daughter, its sympathy in their great bereavement.

Be It Further Resolved, That a copy of this resolution be spread upon the Journal of the Senate, and that the secretary be instructed to send a copy to the bereaved family of the deceased.

BYRON W. NEWBERRY,
GEO. S. HARTMAN,
M. L. BOWMAN.

The resolutions were adopted unanimously.

HISTORY OF SENATE BILLS IN SENATE

SENATE FILES PASSED AND APPROVED

Senate Files Nos. 1, 5, 11, 37, 59, 67, 73, 79, 81, 83, 85, 86, 103, 113, 131, 141, 143, 147, 157, 159, 161, 181, 223, 225, 235, 243, 249, 255, 259, 265, 271, 272, 281, 282, 284, 286, 290, 303, 304, 305, 308, 309, 314, 316, 319, 325, 337, 338, 341, 343, 350, 354, 355, 358, 359, 360, 361, 362, 365, 371, 372, 374, 381, 382, 383, 385, 386, 389, 394, 395, 397, 398, 405, 406, 407, 408, 409, 414, 417, 419, 420, 421, 422, 423, 424, 427, 428, 431, 433, 435, 437, 443, 446, 447, 449, 452, 453, 455, 458, 460, 461, 466, 468, 469, 471, 486, 490, 491, 496, 499, 504, 506, 509, 511, 512, 513, 517, 524, 525, 528, 530, 532, 534, 535, 536, 539, 540, 546, 547, 549, 560, 563, 566, 568, 569, 570, 572, 587, 594, 604, 606, 611, 613, 614, 615, 618, 621, 624, 630, 631, 636, 637, 644, 645, 665, 666, 667, 668, 669, 671, 674, 699, 700, 701, 702, 703, 710, 711, 715, 718, 722, 724, 725, 734, 735, 740, 742, 743, 744, 745, 749, 751, 752, 753, 754, 756, 757, 758, 761.

RECORD OF JOINT RESOLUTIONS

S. J. R.	Page	S. J. R.	Page
1 By Newberry. Relating to the qualification of members of the House of Representatives of the General Assembly. (To admit women.)		3 By Newberry. Qualification and eligibility of citizens to be members of the House of Representatives in the General Assembly of the state of Iowa. To admit women.	
Introduced	39	Introduced and referred	192
Withdrawn	173	Ordered printed in Journal	213
		H. J. R. 5 substituted	413
2 By Bowman. Relating to extending the credit of the state.		Withdrawn	413
Introduced and referred	192		
Ordered printed in Journal	212	4 By Shaff. Amendment to the constitution relating to the holding of sessions of the General Assembly and the election of members.	
Recommends amendments	349	Introduced and referred	942
Amendments adopted	358	Indefinitely postponed	1083
Made special order	358		
Passed; ayes 30, nays 16	504		
Received back	1608		

RECORD OF EACH BILL

S. F.	Page	S. F.	Page
1 Relating to the citation and form of bills for the amendment, revision, codification or repeal of statutes.		5 Relating to the publication of the acts of the General Assembly.	
Introduced and referred	194	Introduced and referred	195
Recommend amendment	263	Recommends amendment and passage	463
Amendment adopted	264	Amendments adopted	486
Passed; ayes 30, nays 0	264	Referred to appropriations	487
Received back in Senate	324	Recommends amendment and passage	787
Concurs in House amendments	334	Amendments adopted	1165
Reported enrolled	355	Passed; ayes 32, nays 0	1165
Signed by the President	359	Received back	1396
Sent to Governor	360	Concurs in House amendments	1413
Signed by the Governor	372	Reported enrolled	1445
		Signed by President	1445
2 Relating to the acquisition by the United States of lands in this state.		Sent to Governor	1445
Introduced and referred	194	Signed by Governor	
3 To provide for a committee on bills.		6 Sale and distribution of codes and session laws.	
Introduced and referred	194	Introduced and referred	195
4 Relating to copies of laws taking effect by publication.		7 Relating to the duties of the governor.	
Introduced and referred	194	Introduced and referred	195
		Re-referred	273

S. F.	Page	S. F.	Page
8 Relating to certain duties of the auditor of state, uniform system of accounts of public corporations and organizations, and to the examination of such accounts.		19 Relating to memorial halls and monuments for soldiers, sailors, marines.	
Introduced and referred.....	195	Introduced and referred	197
Re-referred	273	20 Time of holding elections and term of office of the officers elected thereat.	
9 Drawing and expenditure of appropriations, certain powers and duties of the treasurer of state.		Introduced and referred	197
Introduced and referred	195	21 Relating to nominations at primary elections.	
Recommends amendment and passage	1267	Introduced and referred	198
10 Relating to department of justice and attorney general.		22 Relating to nominations by caucus, convention or petition.	
Introduced and referred.....	196	Introduced and referred	198
11 Relating to reporter of supreme court and editor of code, preparation, printing and distribution of reports of supreme court, and annotations to code.		23 Relating to the nomination and election of judges of the supreme, district and superior courts.	
Introduced and referred	196	Introduced and referred	198
Recommend amendment	283	24 Relating to the registration of voters.	
Amendments adopted	292	Introduced and referred	198
Passed; ayes 37, nays 0.....	330	25 Relating to the method of conducting elections.	
Received back	1652	Introduced and referred	198
Concurs in House amendment.....	1653	26 By Committee on Code Revision. Relating to the canvass of votes, at elections.	
Reported enrolled	1686	Introduced and referred	198
Signed by President	1686	27 Relating to the right of a voter when disabled or absent from the polls on election day.	
Sent to Governor	1700	Introduced and referred	199
Signed by Governor.		28 Relating to the election of presidential electors.	
12 Printing and binding, the state board of printing and the document editor.		Introduced and referred	199
(This bill withdrawn. Unnecessary in view of 39 G. A., ch. 286, which covers the same subject matter. See S. C. C. 241-a1—241-a77.)		29 Relating to the making of statements of expenses by candidates for office.	
13 Custodian of public buildings and grounds.		Introduced and referred	199
(This bill withdrawn. Unnecessary in view of 39 G. A., ch. 247-a1—247-a4.)		30 Relating to contesting elections of state officers.	
14 By Committee on Code Revision. Relating to the powers and duties of the executive council and employees thereof.		Introduced and referred	199
Introduced and referred.....	196	31 Relating to the time and manner of qualifying of elected or appointed officers.	
Re-referred	273	Introduced and referred	199
15 Relating to the filing and auditing of claims against the state.		Returned to Secretary of the Senate	312
Introduced and referred	196	32 Relating to the bonds of public officers.	
16 Relating to the census.		Introduced and referred	199
Introduced and referred.....	197	33 Relating to the release of sureties on bonds of public officers.	
Re-referred	273	Introduced and referred	200
17 By Committee on Code Revision. Relating to deputies for certain state officers.		34 Relating to removal from office.	
Introduced and referred	197	Introduced and referred	200
Re-referred	273		
18 By Committee on Code Revision. Relating to the reports of public officers.			
Introduced and referred	197		
Re-referred	273		

S. F.	Page	S. F.	Page
35 Relating to vacancies in office.		48 Relating to boards of arbitration.	
Introduced and referred	200	Introduced and referred	202
36 Relating to the right of soldiers, sailors, marines and nurses to preference in appointment to office.		Recommends passage	296
Introduced and referred	200	H. F. 48 substituted.....	296
37 Relating to the duty of officers in the matter of public contracts.		Withdrawn	296
Introduced and referred	200	49 Relating to assumption of risks.	
Recommends passage	296	Introduced and referred.....	203
Passed, ayes 32, nays 8.....	319	Recommends indefinite postponement	382
Received back	403	Indefinitely postponed	382
Reported enrolled	432	50 Relating to the suspension of state officers.	
Signed by President	439	Introduced and referred	203
Sent to Governor	447	51 Relating to the manufacture, sale and transportation of intoxicating liquors.	
Signed by Governor	455	Introduced and referred	203
38 Relating to notaries public.		52 Relating to houses of prostitution.	
Introduced and referred	200	Introduced and referred.....	203
39 Relating to the administration of oaths.		53 Relating to the state fire marshal and the prevention and investigation of fires.	
Introduced and referred	201	Introduced and referred.....	203
Recommends passage	296	Re-referred	273
Re-referred	319	54 Relating to propagation and protection of fish, game wild birds and animals.	
40 By Committee on Code Revision. Relating to the deposit of public funds by officers, salaries, fees, expenses and expenditures of such officers, and to publication and posting of legal notices.		Introduced and referred.....	204
Introduced and referred	201	55 Relating to public parks.	
41 Relating to coal mines, gypsum mines and mining.		Introduced and referred.....	204
Introduced and referred	201	56 By Committee on Code Revision. Relating to fences.	
42 Relating to employers' liability and workmen's compensation.		Introduced and referred.....	204
Introduced and referred	201	Withdrawn	729
43 Relating to health and safety appliances and industrial accidents.		57 Relating to lost property.	
Introduced and referred	201	Introduced and referred.....	204
44 By Committee on Code Revision. Relating to child labor.		58 Relating to the practice of professional engineering and land surveying.	
Introduced and referred	202	Introduced and referred.....	204
45 Relating to fire escapes and means of escape from fire.		59 Relating to certified shorthand reporters.	
Introduced and referred	202	Introduced and referred.....	205
46 Relating to the bureau of labor and the labor commissioner, his deputies and inspectors, their duties and jurisdiction.		Recommends passage	284
Introduced and referred	202	Passed, ayes 36, nays 2.....	290
47 Relating to the state free employment bureau, free employment service and employment agencies.		Received back	925
Introduced and referred	202	Senate amends and concurs in House amendments	946
		Received back	1005
		Reported enrolled	1065
		Signed by President.....	1066
		Sent to Governor	1073
		Signed by Governor	1127
		60 Relating to certified public accountants.	
		Introduced and referred.....	205
		61 Relating to gold and silver alloy.	
		Introduced and referred	205

S. F.	Page	S. F.	Page
62 By Committee on Code Revision. Relating to the manufacture, branding and labeling of mattresses and comforts.		72 Relating to the testimony of witnesses in cases of contested elections.	
Introduced and referred	205	Introduced and referred	207
63 Public health.		73 Relating to the attendance of witnesses, and the compulsory giving of testimony and production of evidence.	
(This bill withdrawn. Subject matter covered by S. F. 260 and 262.)		Introduced and referred	207
64 Food and drug department.		Recommends passage	272
(This bill withdrawn. Subject matter covered by S. F. 261.)		Passed; ayes 42, nays 0	273
65 Relating to the department of agriculture, county and district fairs of agricultural societies, farmers' institutes and short courses.		Received back in Senate	456
Introduced and referred	205	Reported enrolled	492
66 Relating to farm improvement associations, Iowa corn and small grain growers' associations, Iowa state dairy association, Iowa beef cattle producers' association and poultry associations.		Signed by President	497
Introduced and referred	206	Sent to Governor	506
67 By Committee on Code Revision. Relating to the horticultural society, the annual state horticultural exposition, and fruit tree and forest reservations.		Signed by Governor	538
Introduced and referred	206	74 Relating to limited partnership.	
Recommends indefinite postponement	353	Introduced and referred	208
Rereferred	367	75 Relating to chattel mortgages and conditional sales of personal property and sales of stocks of merchandise in bulk.	
Recommends passage of sub.	495	Introduced and referred	208
Passed; ayes 31, nays 0	539	76 Relating to real property.	
Received back	1396	Introduced and referred	216
Senate concurs	1412	Indefinitely postponed	307
Reported enrolled	1445	77 Relating to conveyances.	
Signed by President	1445	Introduced and referred	216
Sent to Governor	1445	78 Relating to occupying claimants.	
Signed by Governor		Introduced and referred	216
68 Relating to the commission of animal health, state veterinary surgeon, veterinary medicine, infectious and contagious diseases among animals.		79 Relating to homestead.	
Introduced and referred	206	Introduced and referred	217
69 Relating to registration of animals.		Recommends passage	396
Introduced and referred	207	Passed; ayes 35, nays 0	407
70 By Committee on Code Revision. Relating to the lien for services of stallions and jacks.		Received back in Senate	637
Introduced and referred	207	Reported enrolled	704
Withdrawn	602	Signed by President	705
71 Relating to neglected, disabled and abandoned animals running at large, estrays and dogs and claims for damages done by dogs and wolves.		Sent to Governor	713
Introduced and referred	207	Signed by Governor	746
Recommends passage	1077	80 By Committee on Code Revision. Relating to landlord and tenant.	
		Introduced and referred	217
		Withdrawn	402
		81 Relating to perpetuities, gifts and bequests.	
		Introduced and referred	217
		Recommends amendment	272
		Amendment adopted	274
		Passed; ayes 37, nays 1	274
		Received back	378
		Reported enrolled	400
		Signed by President	402
		Sent to Governor	406
		Signed by Governor	429
		82 By Commission on Code Revision. Relating to trustees to manage cemetery funds.	
		Introduced and referred	217
		83 By Commission on Code Revision. Relating to legalizing deeds and other instruments.	
		Introduced and referred	217
		Recommends passage	272

SENATE RECORD ON SENATE BILLS

1751

S. F.	Page	S. F.	Page
Amended	275	Motion filed to reconsider	554
Passed; ayes 39, nays 0	275	Motion to reconsider prevailed ..	590
Received back	367	Re-referred	590
Reported enrolled	381		
Signed by President	391	95 By Committee on Code	
Sent to Governor	400	Revision. Education—school	
Signed by Governor	429	for the blind.	
		Introduced and referred	220
84 By Committee on Code		Recommends passage	430
Revision. Relating to char-		Passed; ayes 26, nays 6	448
itable, correctional, and penal		Motion to reconsider	460
institutions, and the juvenile		Motion to reconsider lost	590
court.		Received back	1396
Introduced and referred	217	Reported enrolled	1445
		Signed by President	1445
85 By Commission on Code		Sent to Governor	1445
Revision. Education—in-		Signed by Governor.	
struction in patriotism.			
Introduced and referred	218	96 By Committee on Code	
		Revision. Education—school	
86 By Commission on Code		for the deaf.	
Revision. Education—super-		Introduced and referred	220
intendent of public instruc-		Recommends amendment	512
tion.		Amendment adopted	544
Introduced and referred	218	Passed; ayes 32, nays 0	545
		Received back	637
87 By Commission on Code		Senate concurs	640
Revision. Educational—vo-		Reported enrolled	704
catational.		Signed by President	705
Introduced and referred	218	Sent to Governor	713
		Signed by Governor	746
88 By Commission on Code			
Revision. Education—board		97 By Committee on Code	
of examiners.		Revision. Education—Iowa	
Introduced and referred	218	soldiers orphans' home.	
		Introduced and referred	220
89 By Commission on Code			
Revision. Education—nor-		98 By Committee on Code	
mal training high schools.		Revision. Education—juve-	
Introduced and referred	219	nile home.	
		Introduced and referred	221
90 By Commission on Code			
Revision. Education—state		99 By Committee on Code	
board of education.		Revision. Education—coun-	
Introduced and passed	219	ty superintendent.	
		Introduced and referred	221
91 By Commission on Code			
Revision. Relating to the		100 By Committee on Code	
state university and the bac-		Revision. Education—school	
teriological laboratory.		districts.	
Introduced and referred	219	Introduced and referred	221
92 By Commission on Code		101 By Committee on Code	
Revision. Medical and sur-		Revision. Education—school	
gical treatment of indigent		meetings, directors, powers	
persons.		and duties.	
Introduced and referred	219	Introduced and referred	221
		Recommends passage	355
93 By Committee on Code			
Revision. Iowa state college		102 By Committee on Code	
of agriculture and mechanic		Revision. Education—eve-	
arts.		ning schools.	
Introduced and referred	219	Introduced and referred	222
Recommends passage	430		
Amendment offered	448	103 By Committee on Code	
Action deferred	448	Revision. Education—ap-	
Amended	580	peals.	
Senate votes to reconsider		Introduced and referred	222
amendment	581	Recommends passage	281
		Amendment offered	291
94 By Committee on Code		Amendment rejected	291
Revision. Iowa state teach-		Passed; ayes 28, nays 13	291
ers college.		Received back	378
Introduced and referred	220	Reported enrolled	400
Recommends amendment	513	Signed by President	402
Amendments adopted	546	Sent to Governor	406
Passed; ayes 30, nays 0	546	Signed by Governor	429

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104 By Committee on Code Revision. Education—special meetings, report county superintendent.	
Introduced and referred	222
105 By Committee on Code Revision. Education—school libraries.	
Introduced and referred	222
106 By Committee on Code Revision. Education—standard schools.	
Introduced and referred	222
107 By Committee on Code Revision. Education—teachers.	
Introduced and referred	222
108 By Committee on Code Revision. Education—indebtedness of school districts.	
Introduced and referred	223
109 By Committee on Code Revision. Education—school buildings and sites.	
Introduced and referred	223
110 By Committee on Code Revision. Education—school funds and bonds.	
Introduced and referred	223
111 By Committee on Code Revision. Education—compulsory.	
Introduced and referred	223
112 By Committee on Code Revision. Education—text-books.	
Introduced and referred	223
113 By Committee on Code Revision. Education—funds.	
Introduced and referred	223
Recommends passage	380
Passed; yeas 40, nays 0	402
Received back	637
Reported enrolled	704
Signed by President	705
Sent to Governor	713
Signed by Governor	746
114 By Committee on Code Revision. Education—state library, historical department.	
Introduced and referred	224
115 By Committee on Code Revision. Education—state historical society.	
Introduced and referred	224
116 By Committee on Code Revision. Education—Iowa geological survey.	
Introduced and referred	224
117 By Committee on Code Revision. Establishment, vacation, and alteration of	

S. F.	Page
highways and erection and maintenance of bridges.	
Introduced and referred	224
118 By Committee on Code Revision. Drainage of highways.	
Introduced and referred	225
119 By Committee on Code Revision. Highway commission and officers charged with duties relating to highways.	
Introduced and referred	225
120 By Committee on Code Revision. Improvement and maintenance of state road districts.	
Introduced and referred	225
121 By Committee on Code Revision. County road, bridge and culvert system, and taxation therefor.	
Introduced and referred	225
122 By Committee on Code Revision. Patrolling of public highways.	
Introduced and referred	225
123 By Committee on Code Revision. Repair and improvement of township roads.	
Introduced and referred	225
124 By Committee on Code Revision. Road poll tax. (This bill withdrawn. Unnecessary in view of 39 G. A., ch., 172, which covers the same subject matter. See S. C. C. 3000-a1—3000-a4.)	
125 By Committee on Code Revision. Destruction of weeds on private lands and public highways.	
Introduced and referred	226
126 By Committee on Code Revision. Removal of obstructions from public highways.	
Introduced and referred	226
127 By Committee on Code Revision. Road improvement associations.	
Introduced and referred	226
128 By Committee on Code Revision. Use of public highways.	
Introduced and referred	226
129 By Committee on Code Revision. Boards of supervisors.	
Introduced and referred	226
130 By Committee on Code Revision. Powers and duties of boards of supervisors.	
Introduced and referred	227

S. F.	Page	S. F.	Page
131 By Committee on Code Revision. County auditor.		142 By Committee on Code Revision. County public hos- pitals and detention hospitals for contagious diseases.	
Introduced and referred	227	Introduced and referred to com- mittee on public health.....	229
Recommends amendment	413		
Amendment adopted	435	143 By Committee on Code Revision. County aid for the blind.	
Amended	436	Introduced and referred	229
Passed; ayes 37, nays 0	436	Amendments adopted	627
Received back	926	Passed; ayes 43, nays 0	627
Reported enrolled	977	Received back	1396
Signed by President	982	Senate concurs	1413
Sent to Governor	984	Reported enrolled	1445
Signed by Governor	993	Signed by President	1445
		Sent to Governor	1445
132 By Committee on Code Revision. County treasurer.		Signed by Governor.	
Introduced and referred	227		
133 By Committee on Code Revision. County recorder.		144 By Committee on Code Revision. Relief for soldiers, sailors and marines.	
Introduced and referred	227	Introduced and referred	230
134 By Committee on Code Revision. County attorney.			
Introduced and referred	227	145 By Committee on Code Re- vision. Official newspapers.	
135 By Committee on Code Revision. Relating to the sheriff.		Introduced and referred.....	230
Introduced and referred	227	Re-referred	604
Recommends amendment	707		
Rereferred	719	146 By Committee on Code Revision. Bounties on wild animals.	
136 By Committee on Code Revision. Relating to the coroner.		Introduced and referred	230
Introduced and referred	228		
137 By Committee on Code Revision. Compensation of county officers and deputies, and collection and account- ing of fees.		147 By Committee on Code Revision. Relocation of county seats.	
Introduced and referred	228	Introduced and referred	230
Recommends amendment.....	870	Recommends passage	412
Amendment filed	909	Passed; ayes 31, nays 0	439
Made special order	1177	Received back	925
H. F. 137 substituted	1294	Reported enrolled	977
Withdrawn	1298	Signed by President	982
		Sent to Governor	984
138 By Committee on Code Revision. Submission of question to voters.		Signed by Governor	993
Introduced and referred	228		
139 By Committee on Code Revision.		148 By Committee on Code Revision. Changing names of villages.	
Introduced and referred	229	Introduced and referred	230
Recommends amendment	708		
Amendments adopted	720	149 By Committee on Code Revision. Land surveys.	
Rereferred	720	Introduced and referred	230
		Recommends amendment	684
140 By Committee on Code Revision. Support of the poor.		Amendments adopted	753
Introduced and referred	229	Passed; ayes 35, nays 2.....	753
Recommends passage	708	Received back in Senate.....	977
Passed; ayes 44, nays 0	731		
141 By Committee on Code Revision. County homes.		150 By Committee on Code Revision. Relating to jails.	
Introduced and referred	229	Introduced and referred	231
Recommends passage	412		
Amendment offered, rejected...	437	151 By Committee on Code Revision. Township and township officers.	
Passed; ayes 39, nays 0	437	Introduced and referred	231
Received back	646		
Senate concurs	658	152 By Committee on Code Revision. Relating to town- ship halls.	
Reported enrolled	754	Introduced and referred	231
Signed by President	770		
Sent to Governor	770	153 By Committee on Code Revision. Municipal corpo- rations—incorporations.	
Signed by Governor	773	Introduced and referred	231

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154 By Committee on Code Revision. Municipal corporations—organization and officers.		165 By Committee on Code Revision. Municipal Corporations—public libraries.	
Introduced and referred	232	Introduced and referred	234
155 By Committee on Code Revision. Municipal corporations—civil service commission.		166 By Committee on Code Revision. Municipal corporations—hospitals.	
Introduced and referred	232	Introduced and referred	235
156 By Committee on Code Revision. Municipal corporations—ordinances.		167 By Committee on Code Revision. Municipal corporations—bridges.	
Introduced and referred	232	Introduced and referred	235
157 By Committee on Code Revision. Municipal corporations—mayor's and police courts.		168 By Committee on Code Revision. Municipal corporations—streets and public grounds.	
Introduced and referred	232	Introduced and referred	235
Recommends passage	410	169 By Committee on Code Revision. Municipal corporations—street improvements and sewers.	
Passed; ayes 36, nays 0	438	Introduced and referred	235
Received back	637	170 By Committee on Code Revision. Municipal corporations—protection of city property.	
Reported enrolled	704	Introduced and referred	236
Signed by President	705	171 By Committee on Code Revision. Municipal corporations—street improvement and sewer bonds.	
Sent to Governor	713	Introduced and referred	236
Signed by Governor	746	172 By Committee on Code Revision. Municipal corporations—public utilities.	
158 By Committee on Code Revision. Municipal corporations—general powers.		Introduced and referred	237
Introduced and referred	233	173 By Committee on Code Revision. Municipal corporations—waterworks.	
159 By Committee on Code Revision. Municipal Corporations—park tax.		Introduced and referred	237
Introduced and referred	233	174 By Committee on Code Revision. Municipal corporations—waterworks in cities of one hundred thousand.	
Recommends passage	355	Introduced and referred	237
Passed; ayes 34, nays 0	376	175 By Committee on Code Revision. Municipal corporations—street railway regulations.	
Received back	562	Introduced and referred	237
Reported enrolled	597	176 By Committee on Code Revision. Municipal corporations—condemnations.	
Signed by President	633	Introduced and referred	237
Sent to Governor	644	177 By Committee on Code Revision. Municipal corporations—taxation.	
Signed by Governor	646	Introduced and referred	238
160 By Committee on Code Revision. Municipal corporations—board of public works.		178 By Committee on Code Revision. Municipal corporations—indebtedness.	
Introduced and referred	233	Introduced and referred	238
161 By Committee on Code Revision. Municipal corporations—river front commission.			
Introduced and referred	234		
Recommends passage	512		
Passed; ayes 34, nays 0	544		
Received back	925		
Reported enrolled	977		
Signed by President	982		
Sent to Governor	984		
Signed by Governor	993		
162 By Committee on Code Revision. Municipal Corporations—comfort stations.			
Introduced and referred	234		
163 By Committee on Code Revision. Municipal corporations—protection of city property.			
Introduced and referred	236		
164 By Committee on Code Revision. Municipal corporations—city hall.			
Introduced and referred	234		

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179 By Committee on Code Revision. Municipal corporations—bonds.	
Introduced and referred	239
180 By Committee on Code Revision. Municipal corporations—plats.	
Introduced and referred	239
181 By Committee on Code Revision. Municipal corporations—policemen's and firemen's pension funds.	
Introduced and referred	239
Recommends passage	355
Passed; ayes 26, nays 14.....	377
Received back	1180
Senate concurs	1187
Reported enrolled	1257
Signed by President	1258
Sent to Governor	1258
Signed by Governor	1293
182 By Committee on Code Revision. Municipal corporations—special charter cities.	
Introduced and referred	239
183 By Committee on Code Revision. Relating to taxation.	
Introduced and referred	240
184 By Committee on Code Revision. Taxation—collateral inheritance tax.	
(This bill withdrawn. Unnecessary in view of 39 G. A., chs. 38 and 164, which cover the same subject matter. See S. C. C. ch. 21, title XIV.)	
185 By Committee on Code Revision. Levees, ditches, drains, and watercourses.	
Introduced and referred	241
186 By Committee on Code Revision. Mill dams, races and water power improvements.	
Introduced and referred	241
187 By Committee on Code Revision. Condemnation of private property for public use.	
Introduced and referred	241
Re-referred	273
188 By Committee on Code Revision. Jurisdiction and duties of board of railroad commissioners.	
Introduced and referred	242
189 By Committee on Code Revision. Relating to commerce counsel.	
Introduced and referred.....	242
190 By Committee on Code Revision. Construction and operation of railways.	
Introduced and referred	242

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191 By Committee on Code Revision. Electric transmission lines and franchises, and wires crossing railroad tracks.	
Introduced and referred	243
192 By Committee on Code Revision. Taxes in aid of railways.	
Introduced and referred	243
193 By Committee on Code Revision. Cattle guards and highway crossing signs.	
Introduced and referred	243
194 By Committee on Code Revision. Liability for negligence and contracts of insurance relief, benefit or indemnity between railway corporations and their employees.	
Introduced and referred.....	243
195 By Committee on Code Revision. Duty of employes in re steam and interurban crossings at grades.	
Introduced and referred	244
196 By Committee on Code Revision. Regulation of carriers and definition of terms.	
Introduced and referred	244
197 By Committee on Code Revision. Regulation of carriers.	
Introduced and referred	244
198 By Committee on Code Revision. Regulations in re rates and charges of common carriers.	
Introduced and referred	244
199 By Committee on Code Revision. Crossings of railways and duty of employes.	
(This bill withdrawn because Code Commission's Bill 195 has been rewritten to include this subject matter.)	
200 By Committee on Code Revision. Relating to interurban railways.	
Introduced and referred	244
201 By Committee on Code Revision. Corporations for pecuniary profit.	
Introduced and referred	245
202 By Committee on Code Revision. Relating to corporate shares of stock.	
Introduced and referred	245
203 By Committee on Code Revision. Cooperative associations.	
Introduced and referred	245
204 By Committee on Code Revision. Relating to failure of consideration of written contracts.	
Introduced and referred	245

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205 By Committee on Code Revision. Relating to insurance department.		218 By Committee on Code Revision. Relating to adoption and master and apprentice.	
Introduced and referred	245	Introduced and referred	247
206 By Committee on Code Revision. Relating to life insurance companies.		219 By Committee on Code Revision. Justice of the peace courts.	
Introduced and referred	246	Introduced and referred	248
207 By Committee on Code Revision. Insurance other than life.		Indefinitely postponed	284
Introduced and referred	246	220 By Committee on Code Revision. Municipal courts.	
208 By Committee on Code Revision. Relating to the banking department.		Introduced and referred	248
Introduced and referred	246	Re-referred	273
209 By Committee on Code Revision. Building and loan associations.		221 By Committee on Code Revision. Superior courts.	
(This bill withdrawn. Unnecessary in view of 39 G. A., ch. 269, which covers the same subject matter. See S. C. C. 5852-a1 and 5852-a2.)		Introduced and referred	248
210 By Committee on Code Revision. Unfair discrimination.		Re-referred	273
Introduced and referred	246	222 By Committee on Code Revision. District court.	
Re-referred	273	Introduced and referred	248
211 By Committee on Code Revision. Unlawful combinations, pools, and trusts buying, selling, handling, or transporting articles of commerce.		223 By Committee on Code Revision. Relating to judges.	
Introduced and referred	246	Introduced and referred	248
Re-referred	273	Recommends passage	284
212 By Committee on Code Revision. Certain special liens.		Passed; ayes 41, nays 0	290
Introduced and referred	247	Received back	450
Re-referred	273	Reported enrolled	472
213 By Committee on Code Revision. Marriages and incest.		Signed by President	474
Introduced and referred	247	Sent to Governor	492
214 By Committee on Code Revision. Conveyance of property of insane spouse.		Signed by Governor	510
Introduced and referred	247	224 By Committee on Code Revision. Judges and courts and rules for conciliation.	
215 By Committee on Code Revision. Divorce and remarriage of divorced persons.		Introduced and referred	249
Introduced and referred	247	225 By Committee on Code Revision. Clerk of the district court.	
Re-referred	273	Introduced and referred	249
216 By Committee on Code Revision. Guardianship.		Recommends amendment	547
(This bill withdrawn because deemed inadvisable in its present form.)		Amendments adopted	570
217 By Committee on Code Revision. Guardianship.		Passed; ayes 35, nays 0	571
(This bill withdrawn because Code Commission's Bill 256 includes this subject matter.)		Received back	669
		Senate refuses to concur	689
		Conference committee	733
		Recommends amendment	808
		Report rejected	809
		Second conference committee	809
		Recommends amendment	1018
		Report adopted	1018
		Reported enrolled	1131
		Signed by President	1131
		Sent to Governor	1132
		Signed by Governor	1162
		226 By Committee on Code Revision. Parties to actions.	
		Introduced and referred	249
		227 By Committee on Code Revision. Place of bringing actions.	
		Introduced and referred	249
		Recommends amendment	285
		Amendment adopted	288
		Passed; ayes 42, nays 0	288
		Received back	288
		Senate fails to concur	606
		Conference committee appointed	704

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228 By Committee on Code Revision. Manner of commencing actions.		240 By Committee on Code Revision. Compensation of executors and administrators.	
Introduced and referred	249	(This bill withdrawn. Unnecessary in view of 39 G. A., ch. 22, which covers the same subject matter. See S. C. C. 7942.)	
229 By Committee on Code Revision. Relating to pleadings.		241 By Committee on Code Revision. Foreclosure of mortgages.	
Introduced and referred	250	Introduced and referred	251
Re-referred	273	Re-referred	273
230 By Committee on Code Revision. Relating to evidence.		242 By Committee on Code Revision. Relating to nullances.	
Introduced and referred	250	Introduced and referred	252
231 By Committee on Code Revision. Relating to trial and judgment.		243 By Committee on Code Revision. Forcible entry or detention of real property.	
Introduced and referred	250	Introduced and referred	252
Re-referred	273	Recommends passage	306
232 By Committee on Code Revision. Relating to instructions.		Passed; ayes 37, nays 0	333
Introduced and referred	250	Received back	455
233 By Committee on Code Revision. Relating to costs.		Reported enrolled	492
Introduced and referred	250	Signed by President	497
Recommends passage	250	Sent to Governor	506
Withdrawn	732	Signed by Governor	538
234 By Committee on Code Revision. Examination of debtors.		244 By Committee on Code Revision. Paternity of illegitimate children.	
Introduced and referred	250	Introduced and referred	252
235 By Committee on Code Revision. Relating to probate court.		245 By Committee on Code Revision. Clerk of the supreme court.	
Introduced and referred	251	Introduced and referred	252
Recommends amendment	307	Re-referred	273
Amendments adopted	332	246 By Committee on Code Revision. Procedure in the supreme court.	
Passed; ayes 37, nays 0	332	Introduced and referred	252
Received back	456	Re-referred	273
Reported enrolled	492	247 By Committee on Code Revision. Permits to carry dangerous weapons.	
Signed by President	497	Introduced and referred	253
Sent to Governor	506	Re-referred	273
Signed by Governor	538	248 By Committee on Code Revision. Relating to larceny.	
236 By Committee on Code Revision. Estates of decedents.		Introduced and referred	253
Introduced and referred	251	249 By Committee on Code Revision. Immoral or lascivious acts with or in presence of children.	
Re-referred	273	Introduced and referred	253
237 By Committee on Code Revision. Wills and letters of administration.		Recommends passage	253
Introduced and referred	251	Passed; ayes 41, nays 0	288
Re-referred	273	Received back	403
238 By Committee on Code Revision. Notice of sale of real estate of deceased persons.		Reported enrolled	432
(This bill withdrawn because Code Commission's Bill 256 includes this subject matter.)		Signed by President	439
239 By Committee on Code Revision. Distribution of intestate property.		Sent to Governor	447
Introduced and referred	251	Signed by Governor	455
Recommends passage	296	250 By Committee on Code Revision. Magistrates and peace officers.	
Amendment offered	320	Introduced and referred	253
Re-referred	320	Re-referred	273
Recommends passage	757		

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251. By Committee on Code Revision. Taking of security from witnesses in criminal cases.		260. By Committee on Code Revision. Public health.	
Introduced and referred.....	253	Introduced and referred.....	255
Re-referred	273		
252. By Committee on Code Revision. Appeals in criminal cases.		261. By Committee on Code Revision. Regulation and inspection of foods, drugs and other articles.	
Introduced and referred.....	254	Introduced and referred.....	256
Re-referred	273		
253. By Committee on Code Revision. Dismissal of criminal proceedings.		262. By Committee on Code Revision. Relating to the practice of certain professions affecting the public health.	
Introduced and referred.....	254	Introduced and referred.....	256
Re-referred	273		
254. By Committee on Code Revision. Bonds for the performance of contracts for public improvements, and the rights of persons who furnish labor or material.		263. By McIntosh. Prohibiting the buying and receiving of intoxicating liquors.	
Introduced and referred.....	254	Introduced and referred.....	187
Re-referred	273	Indefinitely postponed.....	446
255. By Committee on Code Revision. Making minor changes in the state funding law.		264. By McIntosh. Relating to all precincts having a double election board.	
Introduced and referred.....	254	Introduced and referred.....	188
Recommends amendment.....	731	Recommends amendment.....	461
Amendments adopted.....	1029	Amendment adopted.....	498
Passed; ayes 36, nays 0.....	1030	Failed to pass; ayes 18, nays 25.	499
Received back.....	1630		
Senate concurs.....	1632	265. By McIntosh. Relating to seizure and disposition of any vehicle containing intoxicating liquors which are being transported in violation of law.	
Reported enrolled.....	1666	Introduced and referred.....	188
Signed by President.....	1673	Recommends amendment.....	446
Sent to Governor.....	1700	Amendment adopted.....	464
Signed by Governor.....		Passed; ayes 29, nays 14.....	465
		Received back.....	763
		Senate concurs.....	769
		Reported enrolled.....	810
		Signed by President.....	810
		Sent to Governor.....	832
		Signed by Governor.....	879
256. By Committee on Code Revision. Appointment and bonds of guardians, and sale or mortgage of property of persons under guardianship, and of persons deceased.			
Introduced and referred.....	254	266. By Bowman. Relating to powers of cities and towns to regulate public utilities rates and service. (C. C. 3973.)	
		Introduced and referred.....	188
257. By Committee on Code Revision. Cigarettes and tobacco.		Amendment filed.....	826
Introduced and referred.....	255	Amendment filed.....	909
		To foot of calendar.....	1152
		To sifting committee.	
258. By Committee on Code Revision. Nomination and election of officers, employees, and assistants in cities acting under the commission form of government.		267. By Tuck. Relating to the primary road system. (C. C. 2943.)	
Introduced and referred.....	255	Introduced and referred.....	188
259. By Committee on Code Revision. Appointment, powers and duties of commissioners in other states.		268. By Bowman. Relating to the construction, improvement and maintenance of highways. (C. C. chap. 6, title XI.)	
Introduced and referred.....	255	Introduced and referred.....	188
Recommends passage.....	348	Withdrawn by author.....	701
Passed; ayes 39, nays 0.....	359		
Received back.....	456		
Reported enrolled.....	492	269. By Snook. Prohibiting public officers and employees from receiving public funds as compensation for services in addition to the amount to which they are entitled by virtue of their office.	
Signed by President.....	497		
Sent to Governor.....	506		
Signed by Governor.....	538		

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Introduced and referred.....	188	275 By Tuck. Relating to the construction, improvement and maintenance of highways.....	190
Recommends amendment.....	383	Introduced and referred.....	190
Amendments adopted.....	393	Withdrawn by author.....	713
Re-referred.....	393	276 By Cessna. Postponing building of temple of justice.	
Indefinitely postponed.....	694	Introduced and referred.....	190
270 By Buser. Exemption from taxation of municipal, school and drainage bonds or certificates. (C. C. 4482.)		Recommends passage.....	410
Introduced and referred.....	189	H. F. 278 substituted.....	429
Indefinitely postponed.....	592	Withdrawn by author.....	434
271 By Mead and Caldwell. Defining the crime of murder in the case of death resulting from the consuming of intoxicating liquor.		277 By Buser. Reducing percentage of cost for hard surfacing roads taxed against benefited districts. (C. C. 2926, 2944, 2959, 2960.)	
Introduced and referred.....	189	Introduced and referred.....	190
Committee report recommends amendment.....	348	Recalled.....	727
Amendment adopted.....	362	Amendment filed.....	794
Passed; ayes 34, nays 1.....	362	Amendment filed.....	828
Received back.....	693	Made special order.....	935
Reported enrolled.....	754	Re-referred to highways.....	951
Signed by President.....	770	Referred to sifting committee.	
Sent to Governor.....	770	278 By Buser. Appointment, duties and compensation of trustees in cities and towns owning their waterworks, heating plants, gas works, electric light or electric power plants. (C. C. 3974-3978.)	
Recalled from the Governor.....	777	Introduced and referred.....	190
Returns to House.....	800	Withdrawn.....	282
Received back.....	842	279 By Olson. Appropriation for reconstruction of armory at Iowa state college.	
Senate concurs.....	844	Introduced and referred.....	191
Reported enrolled.....	888	Withdrawn by author.....	825
Signed by President.....	894	280 By Wichman. Limiting special assessments in cities and towns. (C. C. 3850.)	
Sent to Governor.....	909	Introduced and referred.....	191
Signed by Governor.....	950	Indefinitely postponed.....	1060
272 By Ethell. Organization, powers and duties of school boards, reports and qualifications of officers. (C. C. 2545, 2548.)		281 By Gilchrist. Boards of supervisors to issue drainage warrants.	
Introduced and referred.....	189	Introduced and referred.....	191
Recommends amendment.....	470	Recommends amendment.....	774
Amendments adopted.....	519	Amendments adopted.....	882
Passed; ayes 43, nays 1.....	519	Amended.....	883
Received back.....	895	Passed; ayes 35, nays 0.....	883
Reported enrolled.....	928	Received back.....	1630
Signed by President.....	933	Reported enrolled.....	1661
Sent to Governor.....	933	Signed by President.....	1666
Signed by Governor.....	993	Sent to Governor.....	1666
273 By Caldwell. Tax on gasoline.		Signed by Governor.....	
Introduced and referred.....	189	282 By Wichman. To legalize proceedings of board of supervisors of Cerro Gordo county.	
Recalled.....	844	Introduced and referred.....	191
Amendment filed.....	853-855	Recommends passage.....	411
Made special order.....	860	Passed; ayes 38, nays 0.....	421
Amended.....	928-931	Received back.....	456
Passed; ayes 26, nays 19.....	932	Reported enrolled.....	492
Received back.....	1334	Signed by President.....	497
Senate falls to concur.....	1336	Sent to Governor.....	506
Appoints conference committee.....	1381	Signed by Governor.....	538
Recommends amendment.....	1473		
Senate concurs.....	1526-1528		
House concurs.....	1811, 1812		
Reported enrolled.....	273		
Signed by President.....	1666		
Sent to Governor.....	1666		
Vetoed by Governor after final adjournment.			
274 By Tuck. Making it unlawful for any county, township, school district, city, or town to issue bonds without first submitting the proposition to issue such bonds to a vote of the people.			
Introduced and referred.....	190		
Withdrawn by author.....	311		

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283 By Wichman. Providing an additional judge for the twelfth judicial district. (C. C. 6937.)		Senate concurs.....	960
Introduced and referred.....	191	Reported enrolled.....	985
Recommends passage.....	367	Signed by President.....	1020
Rereferred.....	381	Sent to Governor.....	1017, 1018
Recommends passage.....	446	Signed by Governor.....	1047
H. F. 294 substituted.....	466		
284 By Goodwin. To pension survivors of the frontier guards of Mitchell's cavalry.		291 By Shinn. Relating to pa-roles.	
Introduced and referred.....	191	Introduced and referred.....	214
Recommends passage.....	864	Recommends amendment.....	675
Referred to appropriations.....	864	Amendments adopted.....	694
Recommends passage.....	1160	Failed to pass; ayes 20, nays 24.	695
Passed; ayes 36, nays 0.....	1467	Motion filed to reconsider.....	739
Received back.....	1650		
Reported enrolled.....	1677	292 By Nelson. Straightening of creeks and rivers. (C. C. 4837.)	
Signed by President.....	1679	Introduced and referred.....	214
Sent to Governor.....	1700	Recommends amendment.....	775
Signed by Governor.....		Amendment filed.....	828
		Amendment adopted.....	851
		Passed; ayes 33, nays 4.....	852
		Received back in Senate.....	1477
285 By Olson. To legalize an election in the consolidated independent school district of Milford township. Story county.		293 By Johnston. Relating to farm aid associations. (C. C. 1655, 1656.)	
Introduced and referred.....	192	Introduced and referred.....	214
Withdrawn by author.....	1162	Indefinitely postponed.....	354
		Motion to reconsider lost.....	354
286 By Johnston. To legalize an election in Lucas county.		294 By Johnston. County funds used by farm improvement associations and taxes levied therefor. (C. C. 1658.)	
Introduced and referred.....	192	Introduced and referred.....	214
Recommends amendment.....	382	Recommends amendment.....	413
Amendments adopted.....	393	Minority report substituted for majority report.....	424
Passed; ayes 40, nays 0.....	394	Indefinitely postponed.....	425
Received back.....	763		
Reported enrolled.....	810	295 By Goodwin. Powers and duties of the board of railroad commissioners. (C. C. 5177, 5200, 5201.)	
Signed by President.....	810	Introduced and referred.....	215
Sent to Governor.....	822	Recommends amendment.....	839
Signed by Governor.....	879	H. F. 285 substituted.....	982
		Withdrawn by author.....	1086
287 By Johnston. Incurring of debt and issuance of bonds of the county by board of supervisors and providing for an election pertaining thereto. (C. C. 3261.)		296 By Goodwin. Relating to schedules of rates and fares, and the powers and duties of board of railroad commissioners. (C. C. 5179.)	
Introduced and referred.....	192	Introduced and referred.....	215
Withdrawn by author.....	1083	Recommends amendment.....	837-839
		H. F. 284 substituted.....	981
288 By Horchem. Authorizing cities and towns owning waterworks, including cities under special charter, to extend water mains and levy special assessments.		Withdrawn by author.....	982
Introduced.....	213	297 By Cessna. Quarantine and disposition of animals affected with tuberculosis. (C. C. 1742; S. C. C. 1742a1.)	
Withdrawn by author.....	1286	Introduced and referred.....	259
		Recommends amendment.....	1028
289 By Horchem. Assessments on lots by governing board of cemetery association.		Amendments adopted.....	1308
Introduced and referred.....	213	Failed to pass; ayes 17, nays 24.	1309
Withdrawn by author.....	1286		
		298 By McIntosh. Time of holding primary elections. (C. C. 366, 380, 384, 387.)	
290 By McIntosh. Defining persistent violators of the intoxicating liquor laws. (C. C. 1024.)		Introduced and referred.....	259
Introduced and referred.....	214	Recommends passage.....	528, 529
Recommends amendment.....	612	Amendment filed.....	554
Amendments adopted.....	657	Made special order.....	591
Passed; ayes 40, nays 0.....	657	Amended, action deferred.....	696
Received back.....	878	Amended.....	722
		Failed to pass; ayes 22, nays 24.	725

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299 By McIntosh. Repealing the 35 per cent clause of the primary law. (C. C. 380, 383, 384, 388, 389, 390.)		Senate concurs.....	846
Introduced and referred.....	259	Reported enrolled.....	888
Recalled from committee.....	727	Signed by President.....	894
Amendment filed.....	815	Sent to Governor.....	909
Amended.....	1150	Recalled from Governor.....	941
Failed to pass; ayes 15, nays 27.	1151	House requests return.....	959
300 By Ethell. Construction, improvement and maintenance of highways and the use of the primary road fund in the elimination or improvement of railroad crossings and the construction of culverts and bridges on the primary roads. (S. C. C. 2912, 2914.)		Received back.....	1005
Introduced and referred.....	260	Senate concurs.....	1008
Withdrawn by author.....	701	Reported enrolled.....	1055
301 By Snook. Architect and inspector for state board of education, and contracts by said board.		Signed by President.....	1066
Introduced and referred.....	260	Sent to Governor.....	1073
Referred to sifting committee.		Signed by Governor.....	1127
302 By Brookhart. Double damages for loss occasioned by fires caused by the operation of a railway. (C. C. 5077.)		306 By Buser. To prohibit the shooting or killing of wild ducks and geese over or by the use of live decoys. (C. C. 1124.)	
Introduced and referred.....	263	Introduced and referred.....	266
Amended.....	993	Recommends reference.....	396
Failed to pass; ayes 23, nays 23.....	993, 994	Indefinitely postponed.....	1276
Motion filed to reconsider.....	1043	307 By Buser. To reduce the number of wild ducks that any person may shoot or kill in one day. (C. C. 1127.)	
303 By Snook. Operation of motor vehicles upon the public highway. (C. C. 3075.)		Introduced and referred.....	266
Introduced and referred.....	265	308 By Buser. Payment of cost of paving extensions of primary roads within cities. (S. C. C. 3922-a1.)	
Recommends amendment.....	469	Introduced and referred.....	266
Amendments adopted.....	500	Recommends passage.....	354
Amended.....	501	Amended.....	376
Passed; ayes 41, nays 3.....	501	Passed; ayes 37, nays 0.....	376
Received back.....	1380	Received back.....	1093
Reported enrolled.....	1411	Reported enrolled.....	1131
Signed by President.....	1411	Signed by President.....	1131
Sent to Governor.....	1422	Sent to Governor.....	1132
Signed by Governor.....	1426	Signed by Governor.....	1162
304 By Tuck. Sanitary conditions in cities and towns and granting additional powers to cities and towns and boards of health. (C. C. 3653, 3654, 3655.)		309 By Buser. Possession and remittances of moneys belonging to the state treasury by county treasurers. (C. C. 4769.)	
Introduced and referred.....	266	Introduced and referred.....	269
Recommends passage.....	410	Recommends amendment.....	326
Passed; ayes 28, nays 1.....	422	Amendments filed.....	364
Received back.....	562	Amendments adopted.....	387
Reported enrolled.....	597	Passed; ayes 39, nays 6.....	388
Signed by President.....	633	Received back.....	763
Sent to Governor.....	644	Senate concurs.....	768
Signed by Governor.....	646	Reported enrolled.....	810
305 By Tuck. Relating to the forfeiture of bail. (C. C. 9268-9272.)		Signed by President.....	810
Introduced and referred.....	266	Sent to Governor.....	832
Recommends passage.....	514	Signed by Governor.....	879
Passed; ayes 41, nays 0.....	580	310 By Snook. To provide for a thresher's lien.	
Received back.....	842	Introduced and referred.....	271
		Indefinitely postponed.....	463
		311 By White. Funding or refunding of indebtedness in counties by the issuance of bonds. (C. C. 3261, 3262.)	
		Introduced and referred.....	271
		312 By Buser. To extend the time within which those actively engaged in the practice of podiatry will be entitled to a license without examination. (S. C. C. 1321-a3.)	
		Introduced and referred.....	271
		Withdrawn by author.....	950

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313 By Campbell. Relating to employer's liability and workmen's compensation. (C. C. 816.)	
Introduced and referred.....	279
Rereferred to insurance.....	469
Referred to sifting committee.	
314 By Buser. To legalize the action of the boards of supervisors of Muscatine and Louisa counties relative to the assessments against state lands.	
Introduced and referred.....	280
Recommends passage.....	834
Referred to appropriations.....	834
Recommends passage.....	965
Passed; ayes 39, nays 0.....	1181
Received back.....	1481
Reported enrolled.....	1542
Signed by President.....	1542
Sent to Governor.....	1612
Signed by Governor.	
315 By Stoddard. Relating to the number of district judges in each district. (C. C. 6937.)	
Introduced and referred.....	280
Rereferred.....	381
Recommends passage.....	446
H. F. 306 substituted.....	465
Withdrawn by author.....	466
316 By Dutcher. Appropriation to complete fireproofing and preservation of old capitol at Iowa City, Iowa.	
Introduced and referred.....	280
Recommends passage.....	840
Passed; ayes 30, nays 1.....	1104
Received back.....	1559
Reported enrolled.....	1612
Signed by President.....	1613
Sent to Governor.....	1613
Signed by Governor.	
317 By Dutcher. Appropriations to the several states for the promotion of the welfare and hygiene of maternity and infancy.	
Introduced and referred.....	280
Recommends passage.....	922
H. F. 340 substituted.....	1145
Withdrawn by author.....	1147
318 By Thurston. Steam and electric railways to erect and maintain crossings for public highways. Railroad commission to determine the composition and surfacing of same and the time allotted for construction.	
Introduced and referred.....	281
Withdrawn by author.....	1207
319 By Buser. To extend certain authority to special charter cities of less than thirty-five thousand population. (C. C. 4000.)	
Introduced and referred.....	281
Recommends substitute.....	510
Substitute adopted.....	542
Passed; ayes 34, nays 0.....	543
Received back.....	799

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Reported enrolled.....	850
Signed by President.....	853
Sent to Governor.....	879
Signed by Governor.....	894
320 By Snook. Employer's liability and workmen's compensation. (C. C. 807.)	
Introduced and referred.....	283
Referred to sifting committee.	
321 By McIntosh. Relating to drainage.	
Introduced and referred.....	283
Withdrawn by author.....	602
322 By Bergman. Election of directors of insurance companies other than life insurance. (C. C. 5618.)	
Introduced and referred.....	286
323 By Abben. Salaries of county and deputy county officials.	
Introduced and referred.....	286
Referred to sifting committee.	
324 By Campbell. Statutes applicable to all honorably discharged soldiers, sailors, or marines of the United States. (C. C. 3343.)	
Introduced and referred.....	293
Withdrawn by author.....	1286
325 By Stoddard. Protection of cities from damage by floods. (C. C. 3957-3954.)	
Introduced and referred.....	294
Recommends amendment.....	775
Amendments adopted.....	850
Amended.....	851
Passed; ayes 27, nays 13.....	851
Received back.....	1514
Senate concurs in House amendment.....	1523, 1524
Reported enrolled.....	1569
Signed by President.....	1612
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Signed by Governor.	
326 By Mantz. Protection of game. (C. C. 1142, 1143, 1146.)	
Introduced and referred.....	298
Recommends indefinite postponement.....	476
Recommendation rejected.....	476
Amended.....	525
Failed to pass; ayes 21, nays 22.....	526
327 By Wichman. Employers' liability and workmen's compensation. (C. C. chap. 3, title V.)	
Introduced and referred.....	298
Rereferred.....	470
Recommends indefinite postponement.....	710
Rereferred.....	710
Indefinitely postponed.....	977
328 By Tuck. Election of county officers. (C. C. 357, 2478, 2480.)	
Introduced and referred.....	299
Withdrawn by author.....	589

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329 By Bowman. Primary road fund to be used on primary and secondary roads. (C. C. 2916, 2921, 2922, 2928, 2944.)	
Introduced and referred	299
Recalled	754
Amended	900
Made special order	901
Referred	951
Recommends amendment	1110
Made special order	1175
Amendments adopted	1221
Passed; ayes 27, nays 18	1222
330 By Caldwell. Training of teachers in private colleges and appropriation therefor.	
Introduced and referred	299
Recommends passage	409
Rereferred to appropriations	409
Recalled	1083
Recommends passage	1158
H. F. 352 substituted	1300
331 By Brookins. Payment of certain National Guard expenses.	
Introduced and referred	299
Rereferred	311
Recommends passage	787
Referred to appropriations	787
Recommends passage	840
Passed; ayes 34, nays 0	908
332 By Horchem. Education of deaf children. (C. C. 2630.)	
Introduced and referred	299
Recommends passage	513, 514
Passed; ayes 32, nays 0	545
Senate requests return	1207
House returns	1228
Withdrawn by author	1286
333 By Horchem. Appropriation for certain independent school districts that have maintained day schools for deaf children.	
Introduced and referred	300
Recommends passage	513
Referred to appropriations	513
Recommends passage	786
H. F. 355 substituted	800
Withdrawn by author	897
334 By Horchem. Age at which children may enter school. (C. C. 2639.)	
Introduced and referred	300
Withdrawn by author	1175
335 By Horchem. Teachers' contracts. (C. C. 2551, 2553.)	
Introduced and referred	300
Indefinitely postponed	380
336 By Thurston. Establishment of roads. (C. C. 2811.)	
Introduced and referred	300
Withdrawn by author	1019
337 By Thurston. Establishment of roads. (C. C. 2829.)	
Introduced and referred	300
Indefinitely postponed	400
Reconsidered	423
Amendment filed	506

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Amended	515
Passed; ayes 37, nays 1	516
Received back	798
Senate concurs	846
Reported enrolled	688
Signed by President	894
Sent to Governor	909
Signed by Governor	950
338 By Thurston. Powers of the board of supervisors. (C. C. 2827.)	
Introduced and referred	300
Recommends passage	326
Amendment offered	358
Rereferred	358
Recommends passage	412
Amendment offered	423
Amended and action deferred	423
Amendment filed	425
Amendment filed	442
Amendment withdrawn	477
Amendment adopted	477
Passed; ayes 38, nays 4	478
Received back	1514
Senate concurs	1525
Reported enrolled	1569
Signed by President	1612
Sent to Governor	1612
Signed by Governor	
339 By Cessna. Investment by savings banks in federal farm loan bonds. (C. C. 5776.)	
Introduced and referred	301
Recommends passage	494
Action deferred	525
Rereferred	565
Referred to sifting committee	
340 By Cessna. Investment of funds of fraternal beneficiary societies. (C. C. 5583.)	
Introduced and referred	301
Indefinitely postponed	836
341 By Cessna. Investment of capital and funds in federal farm loan bonds. (C. C. 5622.)	
Introduced and referred	301
Recommends passage	462
Amended	485
Passed the Senate; ayes 28, nays 4	485
Received back	637
Reported enrolled	704
Signed by President	705
Sent to Governor	713
Signed by Governor	746
342 By Gilchrist. Indictments and criminal procedure.	
Introduced and referred	301
Recommends amendment	917
Amendments adopted	1038
Passed; ayes 30, nays 0	1039
Received back	1418
343 By Tuck. To compel counties and county officers to limit annual expenditures in the several funds to annual collectible revenues.	
Introduced and referred	306
Recommends passage	383
Made special order	393
Amended	404

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Passed; ayes 35, nays 10.....	405	353 By Shaff. Compensation of executors, administrators and attorneys for estates. (C. C. 7942.)	
Received back.....	777	Introduced and referred.....	320
Reported enrolled.....	850	Referred to sifting committee.	
Signed by President.....	853		
Sent to Governor.....	879		
Signed by Governor.			
344. By Buser. Registration of motor vehicles. (C. C. 3053, 3055, 3061.)		354 By Kimberly. Appropria- tions for institutions under the board of control.	
Introduced and referred.....	306	Introduced and referred.....	322
Amended, passed; ayes 35, nays 10	1387-1390	Recommends amendment.....	579
345 By Abben. Salary and ex- penses of the judges of the district court. (C. C. 6938.)		Referred to appropriations.....	1123
Introduced and referred.....	306	Recommends amendment.....	1159
Indefinitely postponed.....	548	Rereferred	1177
346 By Stoddard. Regulation of railroads within cities and towns. (C. C. 3817.)		Recommends amendment.....	1213
Introduced and referred.....	310	Made special order.....	1236
Recalled	727	Amendments adopted.....	1255
Indefinitely postponed.....	920	Passed; ayes 42, nays 2.....	1256
347 By McIntosh. Widows' pensions. (C. C. 2089.)		Received back.....	1419
Introduced and referred.....	310	Senate refuses to concur.....	1444
Recommends amendment.....	963	Appoints conference committee.....	1452
Amendments adopted.....	1061	Recommends amendment.....	1613-1615
Passed; ayes 42, nays 0.....	1061	Senate concurs.....	1638-1640
Received back in Senate.....	1347	House concurs.....	1378
348 By Buser. Survey of pri- mary road improvement pro- jects.		Reported enrolled.....	1686
Introduced and referred.....	311	Signed by President.....	1686
Recalled.....		Sent to Governor.....	1700
Failed to pass; ayes 20, nays 24.....	1150	Signed by the Governor.	
349 By Thurston. Providing for the organization, licens- ing, examination and regula- tion of an insurance rating bureau.		355 By Kimberly. Changing the name of the State Hos- pital and Colony for Epilep- tics.	
Introduced and referred.....	311	Introduced and referred.....	323
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350 By Banta. Counting of absent voters' ballots in pre- cincts using voting ma- chines. (S. C. C. 529.)		Passed; ayes 36, nays 0.....	392
Introduced and referred.....	311	Received back.....	551
Recommends passage.....	461	Reported enrolled.....	570
Amended	484	Signed by President.....	589
Passed; ayes 28, nays 0.....	485	Sent to Governor.....	590
Received back.....	842	Signed by Governor.....	596
Senate concurs.....	847		
Reported enrolled.....	888	356 By Kimberly. Commit- ments to the Training School for Girls. (C. C. 2103.)	
Signed by President.....	894	Introduced and referred.....	323
Sent to Governor.....	909	Withdrawn by author.....	1102
Signed by Governor.....	950		
351 By Baird. Conferring cer- tain powers on peace officers, extradition agents and offi- cers of penal institutions from other states.		357 By Kimberly. Support funds for institutions under Board of Control. (C. C. 2038, 2159, 2469, 2470; S. C. C. 2457.)	
Introduced and referred.....	311	Introduced and referred.....	323
Withdrawn by author.....	654	Withdrawn by author.....	1102
352 By Brookhart. Rates of interest and other items to be considered as interest. (C. C. 5889, 5890.)		358 By Kimberly. Commitments to Women's Reformatory. (C. C. 2165.)	
Introduced and referred.....	320	Introduced and referred.....	323
Indefinitely postponed.....	495	Recommends passage.....	383
		Passed; ayes 39, nays 0.....	392
		Received back.....	562
		Reported enrolled.....	597
		Signed by President.....	633
		Sent to Governor.....	644
		Signed by Governor.....	646
		359 By Mantz. Absent voters' law. (C. C. 522, 524.)	
		Introduced and referred.....	323
		Recommends passage.....	461
		Passed; ayes 43, nays 0.....	500
		Received back.....	842
		Reported enrolled.....	888
		Signed by President.....	894
		Sent to Governor.....	909
		Signed by Governor.....	950

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360 By Mantz. Authorizing a patent conveying certain real estate located in Audubon county, to Walter F. Nelson.		366 By Banta. Salaries and perquisites of certain officials under management of board of control. (C. C. 1883, 1884, 1931, 1980, 2020.)	
Introduced and referred.....	324	Introduced and referred.....	352
Recommends passage.....	382	Without recommendation.....	579
Passed; ayes 39, nays 0.....	394	Failed to pass; ayes 10, nays 34.	623
Received back.....	562		
Reported enrolled.....	597	367 By Buser. Limiting authority of highway commission. (C. C. 2917.)	
Signed by President.....	633	Introduced and referred.....	352
Sent to Governor.....	644	Called from committee.	
Signed by Governor.....	646	Failed to pass; ayes 21, nays 25.	970
361 By Newberry and Wichman. Supervision and regulation of motor transportation.			
Introduced and referred.....	324	368 By Tuck. Levying a tax to be known as the county general fund.	
Recommends amendment.....	1121	Introduced and referred.....	352
Amendment filed.....	1153	Recommends amendment.....	1014
Made special order.....	1237	Amendments rejected.....	1233
Amendment amended.....	1317, 1321	Amended, passed; ayes 27, nays 17	1233
Amendments adopted.....	1323	Received back in Senate.....	1380
Amended, action deferred.....	1324, 1327		
Amended, passed; ayes 32, nays 16	1381-1385	369 By Tuck. Selection of jury lists. (C. C. 6997.)	
Received back.....	1513	Introduced and referred.....	352
Senate concurs.....	1529	Recommends passage.....	382
Reported enrolled.....	1612	Passed; ayes 41, nays 0.....	401
Signed by President.....	1612		
Sent to Governor.....		370 By Darting. To establish and locate three additional normal training schools.	
Signed by Governor.....		Introduced and referred.....	353
362 By Fulton. To compensate Second Lieutenant Charles R. Messett for injuries.		Referred to appropriations.....	983
Introduced and referred.....	335	Recommends indefinite postponement.....	1177
Recommends passage.....	788	Placed on calendar.....	1177
Referred to appropriations.....	788	Amended, passed; ayes 26, nays 19	1468-1471
Recommends passage.....	966		
Passed; ayes 34, nays 0.....	1058	371 By Campbell. Filing notices for liens for taxes in favor of the United States of America.	
Received back.....	1648	Introduced and referred.....	353
Reported enrolled.....	1612	Recommends amendment.....	762
Signed by President.....	1613	Amendments adopted.....	849
Sent to Governor.....	1613	Passed; ayes 39, nays 0.....	849
Signed by Governor.....		Received back.....	1674
363 By Price. Permits to carry concealed weapons, firearms, toy pistols, registration of dealers' permits, and registration of sales of all firearms.		Reported enrolled.....	1686
Introduced and referred.....	346	Signed by President.....	1686
Without recommendation.....	470	Sent to Governor.....	1700
Amended.....	517	Signed by Governor.....	
Passed; ayes 27, nays 19.....	518, 519		
Received back.....	1641	372 By Perkins. Compensation for injuries or death of any law enforcing officer in line of duty.	
Senate fails to concur.....	1655	Introduced and referred.....	353
House insists.....	1904	Recommends passage.....	869
		To appropriations.....	869
364 By Johnston. Mine inspectors to post notice of conditions found in any mine where inspected.		Recommends passage.....	1017
Introduced and referred.....	346	Passed; ayes 40, nays 3.....	1224
		Received back.....	1513
365 By Kimberly. Disbursement of funds by board of control. (C. C. 1889.)		Reported enrolled.....	1569
Introduced and referred.....	352	Signed by President.....	1612
Recommends passage.....	579	Sent to Governor.....	1612
Passed; ayes 41, nays 0.....	601	Signed by Governor.....	
Received back.....	647		
Reported enrolled.....	704	373 By Smith. Maintenance and employment of a band. (S. C. C. ch. 12-A, title XIII.)	
Signed by President.....	705	Introduced and referred.....	353
Sent to Governor.....	713	Recommends indefinite postponement.....	687
Signed by Governor.....	746		

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Made special order.....	777	Reported enrolled.....	1569
Amended.....	802	Signed by President.....	1612
Failed to pass; ayes 18, nays 29	805, 806	Sent to Governor.....	1612
		Signed by Governor.....	
374 By Kimberly. Appropriation for chairs for committee clerks. 38 C. A.		382 By Baird. To legalize certain warrants and bonds of Council Bluffs.	
Introduced and referred.....	363	Introduced and referred.....	366
Recommends passage.....	728	Recommends passage.....	412
Passed; ayes 36, nays 0.....	752	Passed; ayes 34, nays 0.....	419
Received back.....	1050	Received back.....	637
Reported enrolled.....	1102	Reported enrolled.....	704
Signed by President.....	1102	Signed by President.....	705
Sent to Governor.....	1108	Sent to Governor.....	713
Signed by Governor.....	1127	Signed by Governor.....	746
375 By Buser. Governing accounts of highway commission, board of agriculture, board of education.		383 By Gilchrist. To legalize warrants issued by Pochontas county.	
Introduced and referred.....	363	Introduced and referred.....	367
Recommends amendment.....	603	Recommends amendment.....	578
Amendments adopted.....	676	Amendments adopted.....	599
Referred to appropriations.....	676, 678	Amended.....	600
Recommends passage.....	921	Passed; ayes 38, nays 0.....	600
Passed; ayes 27, nays 19.....	1143, 1144	Signed by President.....	633
Received back.....	1560	Received back.....	637
376 By Baird. Relating to annual tax list. (C. C. 4610.)		Reported enrolled.....	641
Introduced and referred.....	363	Sent to Governor.....	644
Recommends amendment.....	705	Signed by Governor.....	646
Amendment adopted.....	713		
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377 By Bergman. Taxation of jury fees as part of the costs. (C. C. 7633.)		Introduced and referred.....	373
Introduced and referred.....	365	Withdrawn by author.....	961
Indefinitely postponed.....	383		
378 By Bergman. Selection of official newspapers.		385 By Wichman. Appointment of guardians for drunkards, spendthrifts, and lunatics. (C. C. 6670.)	
Introduced and referred.....	366	Introduced and referred.....	373
Withdrawn by author.....	741	Recommends passage.....	548
		Passed; ayes 40, nays 0.....	567
379 By Brookhart. Redemption and possession of property sold under execution. (C. C. 7739.)		Received back.....	842
Introduced and referred.....	366	Senate concurs.....	846
Recommends amendment.....	761	Reported enrolled.....	888
Amendment adopted.....	951	Signed by President.....	894
Failed to pass; ayes 24, nays 20.....	951	Sent to Governor.....	909
Motion filed to reconsider.		Signed by Governor.....	950
Motion to reconsider prevailed.....	1227		
380 By Brookhart. Annual fee to be paid by corporations and providing for the payment by domestic and foreign corporations for profit of an annual franchise tax. (C. C. 5338.)		386 By Wichman. To authorize courts to require security from husband in cases where alimony or other allowance is ordered.	
Introduced and referred.....	366	Introduced and referred.....	373
Indefinitely postponed.....	1098	Recommends amendment.....	411
		Amendment adopted.....	419
381 By Fulton. Poll tax and penalty for non-payment. (S. C. C. 4036-a1, 4036-a2, 4036-a3.)		Passed; ayes 37, nays 1.....	420
Introduced and referred.....	366	Received back.....	1661
Referred.....	604	Senate concurs.....	1677
Recommends passage.....	1013	Reported enrolled.....	1695
Passed; ayes 32, nays 4.....	1217	Signed by President.....	1695
Received back.....	1521	Sent to Governor.....	1700
		Signed by Governor.....	
		387 By Perkins. Distribution of the primary road fund. (C. C. 2912.)	
		Introduced and referred.....	373
		Indefinitely postponed.....	1245
		388 By Fulton. To abolish retrenchment and reform committee. (C. C. 40, 41; S. C. C. 93-a1, 39-a2, 39-a3, 39-a4, 39-a5, 39-a6.)	

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Recommends passage.....	686
Amended.....	764
Failed to pass; ayes 23, nays 15.....	764
Motion to reconsider.....	772
Motion to reconsider adopted.....	779
Passed; ayes 26, nays 18.....	779
Senate requests House to re- turn.....	826
Amended, passed; ayes 26, nays 10.....	880
Received back.....	1093
389 By Price. Complaint to Board of Review and appeal. (C. C. 4602.)	
Introduced and referred.....	374
Recommends passage.....	493
Amended.....	523
Passed; ayes 38, nays 0.....	523, 524
Received back.....	926
Reported enrolled.....	977
Signed by President.....	982
Sent to Governor.....	984
Signed by Governor.....	993
390 By White. To prohibit per- sons from wearing masks, hoods, robes and other para- phernalia.	
Introduced and referred.....	374
Recalled.....	1043
Withdrawn by author.....	1303
391 By Shaff. Operators' and chauffeurs' licenses. (C. C. 3054.)	
Introduced and referred.....	374
Without recommendation.....	863
Amended.....	1053
Failed to pass; ayes 4, nays 24.....	1053
392 By Dutcher. Witnesses in the trial of criminal cases. (C. C. 9464.)	
Introduced and referred.....	374
Without recommendation.....	462
Passed; ayes 29, nays 16.....	598
393 By Kimberly. Selection of probation officers in juve- nile courts. (C. C. 2094.)	
Introduced and referred.....	389
Recommends passage.....	676
Withdrawn by author.....	695
394 By Caldwell and Ethell. Appropriation to improve school conditions in mining camps.	
Introduced and referred.....	390
Recommends passage.....	463
Referred to appropriations.....	463
Recommends amendment.....	922
Amendment adopted.....	1055
Passed; ayes 34, nays 0.....	1055
Received back.....	1520
Reported enrolled.....	1569
Signed by President.....	1612
Sent to Governor.....	1612
Signed by Governor.....	
395 By Caldwell. Appropria- tion to indemnify parents of Merle J. Young, who was killed while on duty with the Iowa National Guard.	
Introduced and referred.....	390
Recommends amendment.....	787

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Referred to appropriations.....	788
Recommends amendment.....	923
Amendment adopted.....	1075
Passed; ayes 44, nays 0.....	1075
Received back.....	1548
Reported enrolled.....	1612
Signed by President.....	1613
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Signed by Governor.....	
396 By Mantz. Qualifications of teachers of agriculture and of normal training critic teachers in approved high schools.	
Introduced and referred.....	390
Recommends amendment.....	983
Amendments adopted.....	1181
Amended.....	1182
Failed to pass; ayes 18, nays 21.....	1182
397 By Mantz. Insurance other than life. (C. C. 5627.)	
Introduced and referred.....	390
Recommends passage.....	709
Made special order.....	750
Passed; ayes 34, nays 4.....	802
Received back.....	1005
Senate concurs.....	1007
Reported enrolled.....	1065
Signed by President.....	1066
Sent to Governor.....	1073
Signed by Governor.....	1127
398. By Hale. Appropriation to reimburse Jones county in prison breach cases.	
Introduced and referred.....	390
Recommends passage.....	786
Passed; ayes 43, nays 0.....	820
Received back.....	1559
Reported enrolled.....	1612
Signed by President.....	1613
Sent to Governor.....	1613
Signed by Governor.....	
399 By Olson. Optional for con- solidated independent school districts to furnish transpor- tation and house vehicles. (C. C. 2524.)	
Introduced and referred.....	390
Indefinitely postponed.....	470
400 By Bergman. Inspection of rated risks under the direc- tor of commissioner of insur- ance and publication of new rate.	
Introduced and referred.....	390
Withdrawn by author.....	620
401 By Newberry. Appropria- tion for 50,000 copies of rail- road commissioners' official map, and distribution thereof.	
Introduced and referred.....	391
Recommends amendment.....	921
Amendments adopted.....	1144
Failed to pass; ayes 22, nays 21.....	1144, 1145
402 By Stoddard. Workmen's compensation. (C. C. 858.)	
Introduced and referred.....	395
Recommends passage.....	635
Passed; ayes 29, nays 5.....	650
Returned to Senate (See H. F. (320).....	726
Withdrawn by author.....	934

S. F.	Page	S. F.	Page
403 By Stoddard. Workmen's compensation. (C. C. 823.)		Passed; ayes 40, nays 0.....	848
Introduced and referred	395	Received back	1513
Withdrawn by author	934	Reported enrolled	1569
404 By Stoddard. Workmen's compensation. (C. C. 816, 823.)		Signed by President	1612
Introduced and referred	395	Sent to Governor	1612
Withdrawn by author	934	Signed by the Governor.	
405 By Shane. To legalize certain warrants issued by Wapello county.		410 By Fulton. To provide for nominations by primary elections. (C. C. chapter 2, title IV, chapter 3, title IV, chapter 4, title IV.)	
Introduced and referred	397	Introduced and referred	398
Recommends passage	463	Recalled	1061
Passed; ayes 28, nays 0.....	483	Made special order	1315
Received back	647	Failed to pass; ayes 10, nays 21.....	1409
Reported enrolled	704	411 By Ethell. Limitation of actions of claims against estates. (C. C. 7874.)	
Signed by President	705	Introduced and referred	400
Sent to Governor	713	Indefinitely postponed	918
Signed by Governor	746	412 By Campbell. Board of railroad commissioners to have jurisdiction and control over the construction, maintenance, operation, service, and rates of telephone companies.	
406 By Wichman. Sheriffs to report all moneys in condemnation proceedings, and treasurers to account for same.		Introduced and referred	400
Introduced and referred	604	Referred to sifting committee.	
Recommends amendment	604	413 By Cessna. Making loans of \$300.00 or less at 3½% interest per month. (S. C. C. title XXI, chapter 1-A.)	
Amendment adopted	628	Introduced and referred	414
Passed; ayes 40, nays 0.....	628	Recalled	1237
Received back	1347	Referred to sifting committee.	
Senate concurs	1360	414 By Bergman. Use of artificial ambushes in hunting game. (C. C. 1124.)	
Reported enrolled	1396	Introduced and referred	414
Signed by President	1410	Recommends passage	471
Sent to Governor	1422	Passed; ayes 39, nays 2.....	520, 521
Signed by Governor	1426	Received back	1072
407 By Committee on Fish and Game. Ownership and title of wild game, birds, and fish and providing for the ownership of mussels, clams and frogs. (C. C. 1137.)		Reported enrolled	1131
Introduced and referred	397	Signed by President	1131
Recommends passage	476	Sent to Governor	1132
Passed; ayes 34; nays 3.....	524, 525	Signed by Governor	1162
Received back	1363	416 By Buser. Millage tax levy for cemetery maintenance purposes. (C. C. 4423.)	
Reported enrolled	1396	Introduced and referred	414
Signed by President	1410	Recommends passage	686
Sent to Governor	1422	Amended	746
Signed by Governor	1426	Passed; ayes 40, nays 0.....	746
408 By Committee on Fish and Game. Trapping of fur-bearing animals and providing for the protection of skunks. (C. C. 1128.)		416 By Brookhart. Qualification, employment, salary, and discharge of county engineers. (C. C. 2872.)	
Introduced and referred	397	Introduced and referred	414
Recommends amendment	631	Recommends passage	493
Amendments adopted	649, 650	Made special order	526
Passed; ayes 33, nays 6.....	650	Failed to pass; ayes 19, nays 28.....	581
Received back	1641	417 By Brookhart. Notice for probating wills. (C. C. 7806.)	
Reported enrolled	1666	Introduced and referred	414
Signed by President	1673	Recommends amendment	636
Sent to Governor	1700	Amendments adopted	654
Signed by the Governor.		Passed; ayes 41, nays 1.....	655
409 By Dutcher. Annual taxation of premiums collected from subscribers under inter-insurance contracts. (C. C. 5720.)		Received back	1180
Introduced and referred	397	Reported enrolled	1257
Recommends amendment	635		
Amendment adopted	651		
Referred	651		
Recommends amendment	709		
Amendments adopted	848		

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Signed by President	1258	Failed to pass; ayes 27, nays 18.	1128
Sent to Governor	1258	Motion to reconsider.	
Signed by Governor	1293	Motion to reconsider prevailed.	1236
418 By Romkey. Standard		Amended and passed; ayes 39,	
width of sleighs and sleds.		nays 0.	1236
(S. C. C. 3044-a1, 3044-a2.)		Received back	1560
Introduced and referred	417	Senate concurs	1578
Referred to sifting committee.		Reported enrolled	1612
419 By Bergman. Change of		Signed by President	1612
place of trial in criminal		Sent to Governor.	
cases. (C. C. 9403, 9404, 9405.)		Signed by Governor.	
Introduced and referred	417	424 By Goodwin. Exempting	
Recommends passage	547	certain societies and associa-	
Passed; ayes 44, nays 0.	566	tions of employes from the	
Received back	1006	provisions of chapters four	
Senate concurs	1007	(4) to nine (9) of the code.	
Reported enrolled	1066	Introduced and referred	427
Signed by President	1066	Recommends amendment	835
Sent to Governor	1073	Amendment adopted	1009
Signed by Governor	1127	Passed; ayes 36, nays 0.	1009
420 By Horchem. Making sec-		Received back	1189
tion 1053 of the code of 1897		Reported enrolled	1257
applicable to cities organized		Signed by President	1258
under chapter 14-D of the		Sent to Governor	1258
supplemental supplement to		Signed by Governor	1293
the code, 1915.		425 By Goodwin. To provide	
Introduced and referred	417	that railroad companies	
Recommends amendment	512	where a dangerous grade	
Amendment adopted	540	crossing is eliminated by a	
Passed; ayes 29, nays 0.	541	change in the highway shall	
Received back	1093	pay a portion of the expense.	
Reported enrolled	1131	Introduced and referred	427
Signed by President	1131	Indefinitely postponed	1157
Sent to Governor	1132	426 By Horchem. To consoli-	
Signed by Governor	1162	date the educational board of	
421 By McIntosh. To legalize		examiners, the state board	
certain elections, ordinances		for vocational education and	
and acts of the town of Grand		the department of public in-	
River, Iowa.		struction with the state	
Introduced and referred	426	board of education.	
Recommends passage	685	Introduced and referred	440
Passed; ayes 37, nays 0.	701	Referred to sifting committee.	
Received back	1072	427 By Baird. Tax levy for	
Reported enrolled	1131	park purposes. (C. C. 3684.)	
Signed by President	1131	Introduced and referred	441
Sent to Governor	1132	Recommends passage	743
Signed by Governor	1162	Amended	766
422 By Ethell. Powers of cities		Passed; ayes 27, nays 0.	766
and towns with reference to		Received back	1072
water works, heating plants,		Senate concurs	1084
gas works or electric light		Reported enrolled	1131
or power plants. (C. C. 3974.)		Signed by President	1131
Introduced and referred	426	Sent to Governor	1132
Recommends passage	512	Signed by Governor	1162
Amended	541	428 By Baird. Tax levy for	
Passed; ayes 30, nays 0.	542	park improvement purposes.	
Received back	843	Introduced and referred	441
Reported enrolled	888	Recommends amendment	743
Signed by President	894	Amended	765
Sent to Governor	909	Passed; ayes 28, nays 0.	765
Signed by Governor	950	Received back	1072
423 By Goodwin. Appropria-		Reported enrolled	1131
tions to compensate Ross		Signed by President	1131
Seward for injuries received		Sent to Governor	1132
while an inmate of the peni-		Signed by Governor	1162
tentiary.		429 By Rees. Regulation of	
Introduced and referred	427	telephone companies.	
Referred to appropriations.	788	Introduced and referred	441
Recommends amendment	965	Recommends passage	1069
Amendment rejected	1127	Amended and passed; ayes 40,	
Amended	1128	nays 2.	1366

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430 By Gilchrist. Trial court to hold a person acquitted of a crime when evidence shows such person guilty of another and different crime.		Introduced and referred	445
Introduced and referred	444	Recommends passage	548
Recommends passage	636	Amended and rereferred	568
Passed; ayes 33, nays 8	653	Recommends substitute	988
Received back	843	Substitute adopted	1174
431 By Committee on suppression of Intemperance. Relating to sale of intoxicating liquors. (C. C. 963, 964.)		Passed; ayes 30, nays 0	1174
Introduced	444	Received back	1641
Action deferred	482	Reported enrolled	1666
Passed; ayes 39, nays 0	591	Signed by President	1673
Received back	1364	Sent to Governor	1700
Reported enrolled	1396	Signed by Governor	
Signed by President	1410	438 By Gilchrist. State board for vocational education. (C. C. 2280, 2281, 2282.)	
Sent to Governor	1422	Introduced and referred	445
Signed by Governor	1426	Recommends passage	537
432 By Gilchrist. Making Cosson removal law applicable to appointive officers. (C. C. 649.)		Passed; ayes 28, nays 17	569
Introduced and referred	444	Senate requests House to re-	
Recommends passage	868	turn	1207
H. F. 460 substituted	1033	House returns to Senate	1228
Withdrawn	1034	439 By Campbell. Issuance of certificates and overdrafts in relation to the anticipation of primary road funds. (C. C. 2913.)	
433 By Gilchrist. Time in which appeals in criminal cases may be taken to supreme court. (C. C. 9539, 9654.)		Introduced and referred	453
Introduced and referred	444	Indefinitely postponed	924
Recommends passage	514	440 By Shinn. Apportionment and expenditure of moneys which are a part of the primary road fund. (C. C. 3078, 2932, 2913.)	
Passed; ayes 35, nays 0	540	Introduced and referred	453
Received back	577	Indefinitely postponed	924
Senate concurs	591	441 By Smith. Public health.	
Reported enrolled	641	Introduced and referred	453
Signed by President	633	Rereferred to appropriations	707
Sent to Governor	644	Recommends passage	787
Signed by Governor	646	H. F. 479 substituted	980
434 By Price. Compensation of members of state board of medical examiners. (C. C. 1330, 1345.)		Withdrawn	981
Introduced and referred	444	442 By Committee on Judiciary No. 1. Boundary commission, powers and duties.	
Withdrawn	468	Introduced	453
435 By Price. Ravishment of imbecile females.		H. F. 450 substituted	505
Introduced and referred	445	Withdrawn	506
Committee reports recommends amendment	514	443 By Horchem. Duty of the board of supervisors in counties of sixty-five thousand (65,000) or less.	
Amendment adopted	565	Introduced and referred	453
Passed; ayes 40, nays 0	566	Without recommendation	604
Received back	877	Amendment offered	642
Reported enrolled	888	Amended	648
Signed by President	894	Passed; ayes 32, nays 3	649
Sent to Governor	909	Received back	1521
Signed by Governor	950	Reported enrolled	1569
436 By Buser. Supervision and regulation of service and rates of telephone companies.		Signed by President	1612
Introduced and referred	445	Sent to Governor	1612
Recommends indefinite postponement	1069	Signed by Governor	
Failed to pass; ayes 22, nays 21	1339	444 By Horchem. Compulsory education. (C. C. 2663.)	
Motion to reconsider	1345	Introduced and referred	454
437 By Gilchrist. Lewd, immoral, and lascivious acts with or in the presence of children.		Recommends passage	1157
		Referred to sifting committee	
		445 By Abben. Appropriation to establish a department of physical education under supervision of board of vocational education.	
		Introduced and referred	454
		Recommends passage	919
		Referred to appropriations	919
		Withdrawn by author	1019

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446 By Fulton. To compensate George A. Gardner for injuries received at the Mount Pleasant Hospital.		Received back	1635
Introduced and referred	454	Reported enrolled	1666
Recommends amendment	1156	Signed by President	1673
Referred to appropriations	1156	Sent to Governor	1700
Recommends amendment	1214	Signed by Governor.	
Amendment adopted	1404	453 By Mead. Appropriation for the hospital and the college of medicine of State University of Iowa, accepting gift from Rockefeller foundation.	
Amended and passed; ayes 40, nays 0	1404	Introduced and referred	471
Received back	1573	Recommends passage	861
Reported enrolled	1612	Referred to appropriations	861
Signed by President	1612	Recommends passage	966
Sent to Governor.		Passed; ayes 33, nays 15	1090
Signed by Governor.		Received back	1155
447 By Bergman. Election of directors of insurance companies other than life insurance companies. (C. C. 5619.)		Reported enrolled	1257
Introduced and referred	454	Signed by President	1258
Recommends passage	635	Sent to Governor	1258
Passed; ayes 40, nays 0	651	Signed by Governor	1293
Received back	1180	454 By Cessna. Appropriation to enable railroad commissioners to investigate valuation of property of common carriers.	
Reported enrolled	1257	Introduced and referred	474
Signed by President	1258	Recommends amendment	921
Sent to Governor	1258	Amendment adopted	1043
Signed by Governor	1293	H. F. 493 substituted	1044
448 By Baird. Providing additional authority to cities and towns in the matter of assessing and paying for street improvements.		Withdrawn	1106
Introduced and referred	454	455 By Brookhart. Time a corporation may begin business and publication of notice. (C. C. 5334.)	
Recommends amendment	1247	Introduced and referred	475
Referred to sifting committee.		Recommends passage	592
Recommends passage	1411	Amended	601
449 By Banta. Insurance other than life. (C. C. 5628.)		Passed; ayes 39, nays 1	601
Introduced and referred	454	Received back	926
Recommends passage	634	Reported enrolled	977
Passed; ayes 27, nays 5	679	Signed by President	982
Received back	1380	Sent to Governor	984
Reported enrolled	1411	Signed by Governor	993
Signed by President	1411	456 By Romkey. Boards of directors to charge tuition in certain school districts.	
Sent to Governor	1422	Introduced and referred	475
Signed by Governor	1426	457 By Romkey. Levees, drains, and water courses.	
450 By Buser. Powers of cities and towns. (C. C. 3605.)		Introduced and referred	475
Introduced and referred	471	Recommends passage	1158
Recommends passage	687	H. F. 469 substituted	1230
Passed; ayes 35, nays 7	747	Withdrawn	1231
Received back	1208	458 By Olson. Appropriations for state university, state university, state college of agriculture and mechanic arts, state teachers college, college for the blind, and school for the deaf.	
451 By Mantz and Brookhart. Payment of an occupation or privilege tax on the business of operating coal mines.		Introduced and referred	475
Introduced and referred	471	Recommends passage	1023
Recalled	934	Referred to appropriations	1023
Made special order	1300	Recommends amendment	1155
Failed to pass; ayes 13, nays 27	1408	Amendment adopted	1431
452 By Olson. Appropriation to defray expenses incurred by the Fort Dodge, Des Moines & Southern Railroad company by a slide on south end of capitol grounds.		Amended and passed; ayes 28, nays 21	1431
Introduced and referred	471	Received back	1477
Recommends amendment	1048	Senate amends and concurs	1493
Referred to appropriations	1048	House refuses to concur	1705
Recommends amendment	1161	Senate insists	1534
Amendments adopted	1342		
Passed; ayes 35, nays 5	1342		

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Appoints conference committee. 1542		at the State University of Iowa, and the Iowa State College of Agriculture and Mechanic Arts.	
Committee reports disagreement. 1694		Introduced and referred. 490	
Appoints second conference committee. 1695		Recommends amendment. 1292	
Committee reports disagreement.		Made special order. 1378	
Appoints third conference committee. 1706		Amendments adopted. 1459	
Senate concurs in conference committee report. 1708		Passed; ayes 28, nays 21. 1461	
Reported enrolled. 1710		Withdrawn. 1519	
Signed by President. 1710			
Sent to Governor. 1711		465 By Holdoegel. Appropriation to provide for dormitories at Iowa City and Ames.	
Signed by Governor.		Introduced and referred. 490	
459 By Brookins. Duties of state entomologist, quarantine of plant diseases, and eradication of harmful plants. (C. C. 2425, 2426, 2430.)		Recommends. 1280	
Introduced and referred. 475		Made special order. 1378	
Withdrawn. 1070		Amendment filed. 1445	
460 By Banta. Appropriation for completion of sheep barn, and for maintenance, repairs and improvements to buildings on the state fair grounds.		Amended; passed; ayes 30, nays 19. 1463	
Introduced and referred. 490		Withdrawn. 1519	
Recommends amendment. 1017			
Amendments rejected. 1218		466 By Brown. To legalize an election held in the city of Maquoketa.	
Passed; ayes 34, nays 11. 1218		Introduced and referred. 491	
Received back. 1549		Recommends. 742	
Reported enrolled. 1612		Passed; ayes 38, nays 0. 767	
Signed by President. 1613		Senate concurs. 808	
Sent to Governor. 1613		Reported enrolled. 888	
Signed by Governor.		Signed by President. 894	
461 By Baird. Attendance of deaf and blind children at state schools. (C. C. 2676.)		Sent to Governor. 909	
Introduced and referred. 490		Signed by Governor. 950	
Recommends passage. 861		467—Void.	
Amended. 1049			
Passed; ayes 31, nays 6. 1050		468 By Perkins. Appropriation for drainage of Goose lake, Greene county.	
Received back. 1650		Introduced and referred. 506	
Reported enrolled. 1677		Referred to appropriations. 1124	
Signed by President. 1679		Recommends passage. 1213	
Sent to Governor. 1700		Passed; ayes 35, nays 2. 1405	
Signed by Governor.		Received back. 1559	
462 By Bowman. Appropriations for the State University of Iowa, State College of Agriculture and Mechanic Arts, Iowa State Teachers College, and Iowa School for the Deaf.		Reported enrolled. 1612	
Introduced and referred. 490		Signed by President. 1612	
Recommends amendment. 1280		Sent to Governor. 1612	
Made special order. 1378			
Amendments adopted. 1446		469 By Banta. Registration of animals.	
Amended. 1448		Introduced and referred. 506	
Amended and passed; ayes 28, nays 21. 1455		Recommends indefinite postponement. 923	
Withdrawn. 1519		Amended. 1107	
463 By Abben. Appropriation to indemnify Roy Rogers for injuries received while acting as deputy game warden.		Failed to pass; ayes 24, nays 21. 1108	
Introduced and referred. 490		Motion to reconsider.	
		Motion to reconsider prevailed. 1223	
464 By Dutcher. Appropriation for the construction of buildings and the purchase of land		Passed; ayes 29, nays 16. 1223	
		Received back. 1630	
		Reported enrolled. 1661	
		Signed by President. 1666	
		Sent to Governor. 1666	
		Signed by Governor.	
		470 By Wichman. Apportionment of tax and interest. (C. C. 4660.)	
		Introduced and referred. 510	
		Recommends passage. 705	
		Passed; ayes 41, nays 0. 750	
		Received back. 1142	
		471 By Wichman. Collection of delinquent personal tax. (C. C. 4653.)	
		Introduced and referred. 510	
		Recommends indefinite postponement. 704	

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Amended	750	Introduced and referred.....	536
Passed; ayes 43, nays 0.....	751	Withdrawn	750
Received back.....	1051		
Reported enrolled.....	1102	482 By Abben. To provide for the collection of a tax on cigars, tobacco and snuff.	
Signed by President.....	1102	Introduced and referred.....	536
Sent to Governor.....	1108	Referred to sifting committee.	
Signed by Governor.....	1127		
472 By Holdoegel. Appropria- tion for eradication of con- tagious diseases among do- mestic animals. (C. C. 1734.)		483 By Reed. Insurance other than life. (C. C. 5605, 5496.)	
Introduced and referred.....	510	Introduced and referred.....	536
Referred to appropriations.....	1124	Indefinitely postponed.....	836
Recommends passage.....	1160		
Amended	1486, 1487	484 By Browne. Taxation of insurance companies. (C. C. 4517, 4521.)	
Withdrawn	1487	Introduced and referred.....	536
473 By Banta. Making a mis- demeanor for any individual to register under false name in any hotel, eating house or rooming house.		Indefinitely postponed.....	1006
Introduced and referred.....	526		
Indefinitely postponed.....	918	485 By Rees. Mailing of notice of the expiration of time for redemption from tax sale to mortgagees and lienholders whose addresses appear of record. (C. C. 4693.)	
474 By Scott. Advertisements and sales of cigarettes by persons not licensed.		Introduced and referred.....	537
Introduced and referred.....	526	Recommends amendment.....	1132
Recalled	859	Referred to sifting committee.	
Withdrawn	860		
475 By Tuck. For a text book board to prepare a uniform system of text books, regis- ters, school and apparatus, regulate the sale thereof and define the duties of certain officers.		486 By Mantz. Requiring in- surance companies writing several classes of insurance to maintain certain reserves for outstanding losses. (C. C. 5627-5d.)	
Introduced and referred.....	527	Introduced and referred.....	537
Recommends indefinite post- ponement	1070	Recommends passage.....	836
Referred to schools.....	1070	Passed; ayes 30, nays 1.....	1009
Recommends substitute.....	1195	Received back.....	1650
Referred to sifting committee.		Reported enrolled.....	1677
		Signed by President.....	1679
476 By Romkey. Levees, ditches and water courses. (C. C. 4910.)		Sent to Governor.....	1700
Introduced and referred.....	527	Signed by Governor.	
Referred to sifting committee.		487 By Thurston. Prohibiting fire, casualty and surety com- panies authorized to do busi- ness in Iowa from permit- ting non-resident agents to write policies or contracts covering property or risks in the state.	
477 By Gilchrist. Reports of boards of trustees of public libraries. (C. C. 3757.)		Introduced and referred.....	537
Introduced and referred.....	527	Withdrawn	713
478 By Abben. Examination of foreign insurance companies. (C. C. 5668.)			
Introduced and referred.....	527	488 By Buser. Regulation of the letting of contracts for the construction improve- ments at the state institu- tions under state board of education.	
Indefinitely postponed.....	709	Introduced and referred.....	561
479 By Abben. Life insurance. (C. C. 5488.)		Referred to sifting committee.	
Introduced and referred.....	527		
Recommends amendment.....	1080	489 By Stoddard. Causes for challenge of the jurors in civil cases in which munici- palities are defendants. (C. C. 7483.)	
Withdrawn	1372	Introduced and referred.....	561
480 By Buser. Government of cities and towns by a coun- cil and manager. (C. C. 4298.)		Withdrawn	578
Introduced and referred.....	527		
Withdrawn	777	490 By Brookhart. Exemp- tions of homes for disabled soldiers. (C. C. 4482.)	
481 By Romkey. Authorizing cities of the first class by vote of electors to place un- der the control of a board of directors toll bridges.		Introduced and referred.....	561
		Recommends passage.....	964

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Amended	1065	498 By Bowman. Appropriation to encourage draft horse industry.	
Passed; ayes 40, nays 0.....	1065	Introduced and referred.....	577
Received back.....	1661	Recommends indefinite postponement	1119
Reported enrolled.....	1677	Referred	1120
Signed by President.....	1679	Recommends passage.....	1160
Sent to Governor.....	1700	Amended, failed to pass; ayes 21, nays 19.....	1546
Signed by Governor.....			
491 By Buser. Refund of license fee upon such cars as are destroyed or stolen and not recovered. (C. C. 3053.)		499 By Rees. Power of cities and towns over cemeteries. (C. C. 3596.)	
Introduced and referred.....	576	Introduced and referred.....	577
Recommends passage.....	637	Recommends amendment.....	687
Amendment filed.....	659	Amendments adopted.....	748
Amended, passed; ayes 42, nays 0	680	Passed; ayes 37, nays 0.....	748
Received back.....	1363	Recommends passage.....	1103
Reported enrolled.....	1396	Received back.....	1348
Signed by President.....	1410	Reported enrolled.....	1378
Sent to Governor.....	1422	Signed by President.....	1392
Signed by Governor.....	1426	Sent to Governor.....	1392
492 By Holdoegel. Powers of library trustees. (C. C. 3751.)		Signed by Governor.....	1410
Introduced and referred.....	576	500 By Kimberly. To reduce the time for action on petition for establishment, vacation or alteration of a road.	
Recommends passage.....	1121	Introduced and referred.....	593
Referred to sifting committee.		Withdrawn	1147
493 By Holdoegel. Library tax, additional support of libraries and transfer from building to maintenance fund. (C. C. 3758.)		501 By Banta. Penalty for violation of the provisions of the law relating to the counting of ballots. (S. C. C. 499-414.)	
Introduced and referred.....	576	Introduced and referred.....	593
Recommends indefinite postponement	732	Recommends passage.....	785
Referred	742	Passed; ayes 31, nays 0.....	898
Indefinitely postponed.....	1120	Received back.....	1476
494 By Shinn. Means for perfecting, registering and transferring titles to real estate, to be known as the "Torrens Land Title System."		502 By Banta. To provide for the holding of schools of instruction for election boards.	
Introduced and referred.....	576	Introduced and referred.....	593
Referred to sifting committee.		Recommends passage.....	784
495 By Snook. Making counties responsible for the maintenance of certain bridges.		Amended	898
Introduced and referred.....	576	Passed; ayes 30, nays 4.....	899
Recommends amendment.....	833	503 By Horchem. Relating to library trustees.	
Amendments adopted.....	1012	Introduced and referred.....	595
Failed to pass; ayes 18, nays 21.	1012	Indefinitely postponed.....	1120
496 By Abben. Fees for examining banks. (C. C. 5764.)		504 By Reed. Sale of stocks and bonds, permit from secretary of state.	
Introduced and referred.....	576	Introduced and referred.....	595
Recommends passage.....	684	Recommends passage.....	685
Passed; ayes 35, nays 8.....	698	Passed; ayes 44, nays 0.....	695
Received back.....	799	Received back.....	1050
Reported enrolled.....	850	Reported enrolled.....	1102
Signed by President.....	853	Signed by President.....	1102
Sent to Governor.....	879	Sent to Governor.....	1108
Signed by Governor.....	894	Signed by Governor.....	1127
497 By Tuck. Public libraries, conditions of and enforcement of bequests therefor. (C. C. 3749.)		505 By Romkey. Additional revenue for maintenance of consolidated schools, erection of buildings and purchasing grounds.	
Introduced and referred.....	576	Introduced and referred.....	595
Recommends passage.....	1120	Indefinitely postponed.....	1015
Referred to sifting committee.		506 By Bergman. Protection of ruffed grouse or pheasant. (C. C. 1124.)	

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Introduced and referred.....	595
Recommends passage.....	
Passed; ayes 32, nays 1.....	899
Received back.....	1521
Reported enrolled.....	1569
Signed by President.....	1612
Sent to Governor.....	1612
Signed by Governor.....	
507 By Brookins. Exemption from liability for debt. (C. C. 7730.)	
Introduced and referred.....	596
Recommends amendment.....	837
Made special order.....	941
Amendments adopted.....	979
Failed to pass; ayes 13, nays 82.	978
508 By Hartman. Nurseries for production of trees to be used in reforestation work.	
Introduced and referred.....	596
Indefinitely postponed.....	789
509 By Stoddard. Refund of taxes paid by certain insur- ance companies.	
Introduced and referred.....	596
Recommends passage.....	835
Passed; ayes 33, nays 7.....	1010
Received back.....	1641
Reported enrolled.....	1666
Signed by President.....	1673
Sent to Governor.....	1700
Signed by Governor.....	
510 By Mead. Payment of bill for transporting the Iowa Fish Car in 1913 and 1915, and legalizing acts of fish and game warden in respect thereto.	
Introduced and referred.....	596
Recommends passage.....	1047
Referred to appropriations.....	1047
Recommends passage.....	1214
Withdrawn.....	1547
511 By Committee on Phar- macy. Appointment of com- missioners of pharmacy, powers and duties.	
Introduced.....	606
Made special order.....	649
Amendment filed.....	659
Made special order.....	699
Amended.....	825
Passed; ayes 40, nays 0.....	826
Received back.....	1180
Reported enrolled.....	1257
Signed by President.....	1258
Sent to Governor.....	1258
Signed by Governor.....	1293
512 By Committee on Suppres- sion of Intemperance. Prohi- biting the manufacture, possession or use of instru- ments or materials used in manufacture of intoxicating liquors. (C. C. 914.)	
Introduced.....	606
Amended.....	656
Passed; ayes 82, nays 17.....	656
Received back.....	877
Senate concurs.....	960
Reported enrolled.....	985

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Signed by President.....	1020
Sent to Governor.....	1017
Signed by Governor.....	1047
513 By Newberry. Sale or ex- change of adulterated dairy food products. (C. C. 1445.)	
Introduced and referred.....	607
Recommends amendment.....	770
Amendment adopted.....	938
Passed; ayes 41, nays 1.....	939
Received back.....	1051
Reported enrolled.....	1102
Signed by President.....	1102
Sent to Governor.....	1108
Signed by Governor.....	1127
514 By Mead. Licensing and regulation of motor vehicles.	
Introduced and referred.....	607
Without recommendation.....	862
Amended, passed; ayes 41, nays 1.....	1317
515 By Browne. Control and suppression of dangerous, contagious, and infectious diseases of domestic animals. (S. C. C. 1740.)	
Introduced and referred.....	610
Recommends passage.....	688
Amended.....	748
Made special order.....	749
Passed; ayes 33, nays 8.....	781
Received back.....	1347
516 By Abben. Use of the Bible in the public schools of the state. (C. C. 2575.)	
Introduced and referred.....	610
Withdrawn.....	1207
517 By Mantz. Appropriation to provide for a marker and fence at the grave of Willson Alexander Scott.	
Introduced and referred.....	610
Recommends passage.....	786
Passed; ayes 35, nays 0.....	896
Received back.....	1380
Reported enrolled.....	1411
Signed by President.....	1411
Sent to Governor.....	1422
Signed by Governor.....	1426
518 By Shaff. Requiring coun- ty sheriffs to employ profes- sional auctioneers to con- duct sales.	
Introduced and referred.....	610
Indefinitely postponed.....	684
519 By Caldwell. Examination and regulation by the state superintendent of banking of the liability of stock holders in state and savings banks.	
Introduced and referred.....	610
Withdrawn.....	1286
520 By Kimberly. Compensa- tion of public officers. (C. C. 2506.)	
Introduced and referred.....	611
Referred.....	625

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521 By Shinn. State board of education.		Passed; ayes 35, nays 0.....	820
Introduced and referred.....	611	Received back.....	1093
Indefinitely postponed.....	862	Reported enrolled.....	1131
522 By Rees. Life insurance companies. (C. C. 5478.)		Signed by President.....	1131
Introduced and referred.....	611	Sent to Governor.....	1132
Withdrawn.....	777	Signed by Governor.....	1162
523 By Buser. Disposition of funds in possession of the finance committee of the state board of education. (C. C. 2338.)		529 By Bergman. Inspection of rated risks, appointment of inspectors.	
Introduced and referred.....	611	Introduced and referred.....	630
Recommends passage.....	789	530 By Harman. Appropriation to defray the expenses of the inaugural ceremonies.	
Amended.....	954	Introduced and referred.....	631
Failed to pass; ayes 14, nays 9.	954	Recommends passage.....	727
524 By Gilchrist. Issuance of teachers' certificates by the board of educational examiners. (C. C. 2482.)		Passed; ayes 41, nays 0.....	751
Introduced and referred.....	612	Received back.....	842
Recommends amendment.....	918	Reported enrolled.....	888
Amendments adopted.....	1053	Signed by President.....	894
Passed; ayes 34, nays 0.....	1054	Sent to Governor.....	909
Received back.....	1661	Signed by Governor.....	950
Reported enrolled.....	1677	531 By Dutcher. Valuation of assessment policies or companies reincorporated under said section to transact life insurance business. (C. C. 5524.)	
Signed by President.....	1679	Introduced and referred.....	631
Sent to Governor.....	1700	Indefinitely postponed.....	1274
Signed by Governor.....		532 By Brookhart. Rate of interest on bonds.	
525 By Buser. Authorizing drainage districts to issue funding bonds for the purpose of settling, adjusting, renewing and extending the legal indebtedness they may have or any part thereof.		Introduced and referred.....	633
Introduced and referred.....	630	Recommends passage.....	683
Without recommendation.....	756	Passed; ayes 43, nays 1.....	703
Amendments adopted.....	971	Received back.....	1641
Passed; ayes 40, nays 0.....	971	Reported enrolled.....	1666
Received back.....	1522	Signed by President.....	1673
Senate fails to concur.....	1524	Sent to Governor.....	1700
Reported enrolled.....	1644	Signed by Governor.....	
Signed by President.....	1644	533 By Brookhart. Fees of the sheriff for collecting money. (C. C. 3206.)	
Sent to Governor.....	1652	Introduced and referred.....	634
Signed by Governor.....		Withdrawn.....	713
526 By Shinn. Requiring the labeling of yarn, bedding, cloth, fabrics, or articles containing wool.		534 By Holdoegel. Examination of persons suspected of having taken wrongful possession of any of the effects of a state or savings bank.	
Introduced and referred.....	630	Introduced and referred.....	634
Without recommendation.....	1024	Recommends passage.....	685
To first of calendar.....	1206	Passed; ayes 39, nays 0.....	702
Referred to sitting committee.		Received back.....	1363
527 By Stoddard. Appropriation to aid county and district fairs, livestock shows and agricultural societies.		Reported enrolled.....	1396
Introduced and referred.....	630	Signed by President.....	1410
Recalled.....	966	Sent to Governor.....	1422
Referred to appropriations.....	1124	Signed by Governor.....	1426
Recommends passage.....	1281	535 By Ethell. Burial of indigent soldiers and sailors. (C. C. 3345.)	
Made special order.....	1333	Introduced and referred.....	646
Amended.....	1415, 1416	Recommends passage.....	864
Failed to pass; ayes 21, nays 24.	1416	Passed; ayes 38, nays 0.....	937
528 By Goodwin. Playground maintenance fund in cities.		Received back.....	1364
Introduced and referred.....	630	Reported enrolled.....	1296
Recommends passage.....	777	Signed by President.....	1410
		Sent to Governor.....	1422
		Signed by Governor.....	1426

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536 By Thurston. Appropriation to indemnify Joe Banoch for injury sustained in performing his usual and ordinary duties in the state reformatory.	
Introduced and referred.....	646
Recommends amendment.....	1048
Referred to appropriations.....	1048
Recommends amendment.....	1161
Amendment adopted.....	1402
Passed; ayes 44, nays 0.....	1403
Received back.....	1573
Reported enrolled.....	1612
Signed by President.....	1612
Sent to Governor.....	
Signed by Governor.....	
537 By Smith. Relating to vocational education.	
Introduced and referred.....	646
Recommends indefinite postponement.....	976
Referred to appropriations.....	976
Recommends indefinite postponement.....	1415
Committee report rejected.....	1415
Withdrawn.....	1542
538 By Holdoegel. Cleaning of streets, establishment of sanitary districts, providing for the levy of an annual tax for the purpose.	
Introduced and referred.....	669
Recommends passage.....	776
Passed; ayes 36, nays 0.....	884
Received back.....	1419
539 By Holdoegel. Appropriation for the work of the Iowa State Dairy Association, Iowa Beef Cattle Producers' Association, Iowa Corn and Small Grain Growers' Association.	
Introduced and referred.....	669
Recommends passage.....	922
Passed; ayes 34, nays 0.....	1056
Received back.....	1142
Reported enrolled.....	1162
Signed by President.....	1178
Sent to Governor.....	1196
Signed by Governor.....	
540 By Hale. Appropriation for Carl F. Schatz and Laura Schatz on account of the death of their son.	
Introduced and referred.....	669
Recommends passage.....	1047
Referred to appropriations.....	1047
Recommends amendment.....	1161
Amendments rejected.....	1343
Passed; ayes 40, nays 0.....	1344
Received back.....	1559
Reported enrolled.....	1612
Signed by President.....	1613
Sent to Governor.....	1613
Signed by Governor.....	
541 By McIntosh. Office of superintendent of public instruction. (C. C. 352.)	
Introduced and referred.....	669
Indefinitely postponed.....	786

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542 By Wichman. Levying of a school house tax by independent school districts and issuing of certificates or bonds.	
Introduced and referred.....	669
Recommends passage.....	983
H. F. 677 substituted.....	1182
Withdrawn.....	1183
543 By Brookins. Polluting of the waters of any stream, waterway or lake of this state.	
Introduced and referred.....	670
Recommends passage.....	863
H. F. 629 substituted.....	1259
544 By Brookins. Records and books to be kept by the clerk of the district court. (C. C. 6974.)	
Introduced and referred.....	670
Committee recommends passage.....	774
Amended.....	850
Referred.....	850
Recommends amendment.....	869
Passed; ayes 34, nays 0.....	1037
545 By Baird. Salary and powers of judges of superior courts. (C. C. 6907, 61910.)	
Introduced and referred.....	670
Recalled.....	1286
Referred to sifting committee.....	
546 By Darting. Authorizing special charter cities who have abandoned their charters to transfer funds.	
Introduced and referred.....	670
Recommends passage.....	919
Passed; ayes 36, nays 0.....	1054
Received back.....	1481
Senate concurs.....	1528
Reported enrolled.....	1569
Signed by President.....	1612
Sent to Governor.....	1612
Signed by Governor.....	
547 By Darting. To legalize certain warrants issued by Mills county.	
Introduced and referred.....	670
Recommends passage.....	989
Passed; ayes 34, nays 0.....	1199
Received back.....	1481
Reported enrolled.....	1542
Signed by President.....	1542
Sent to Governor.....	1612
Signed by Governor.....	
548 By Thurston. To regulate and prescribe the manner of giving notice, to require bids for road projects.	
Introduced and referred.....	670
Recommends amendment.....	1147
Made special order.....	1378
Referred to sifting committee.....	
549 By Stoddard. To compensate Woodbury county in matter of certain insane patients.	
Introduced and referred.....	671
Referred to appropriations.....	868

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Recommends passage.....	1017	559 By Buser. Providing au-	
Amended, passed; ayes 36,		tomatic doors to boxes of lo-	
nays 0.....	1200	comotive engines.	
Received back.....	1514	Introduced and referred.....	672
Senate concurs.....	1525	H. F. 615 substituted.....	1259
Reported enrolled.....	1569	Referred to sifting committee.	
Signed by President.....	1612		
Sent to Governor.....	1612	560 By Adams. Insurance other	
Signed by Governor.....		than life. (C. C. 5632, 5623,	
		5640.)	
550 By Stoddard. Relating to		Introduced and referred.....	673
cities receiving bids for pat-		Recommends amendment.....	835
ented paving or pavement.		Amendment adopted.....	936
Introduced and referred.....	671	Passed; ayes 34, nays 0.....	937
Withdrawn.....	1207	Received back.....	1552
		Reported enrolled.....	1677
551 By Campbell. Presumption		Signed by President.....	1679
and burden of proof in ac-		Sent to Governor.....	1700
tions for damages against		Signed by Governor.....	
common carriers relating to			
the transportation of live-		561 By Adams. Insurance other	
stock.		than life. (C. C. 5662.)	
Introduced and referred.....	671	Introduced and referred.....	673
Indefinitely postponed.....	1148	Committee recommends passage	984
		Referred to sifting committee	
552 By Bowman. Power of		Withdrawn.....	1601
cities and towns to own,			
build and operate certain		562 By Kimberly. Retention of	
public utilities. (C. C. 3966.)		feeble-minded persons with	
Introduced and referred.....	671	criminal tendencies, who are	
Recalled.....	1022	inmates of penal institutions,	
Failed to pass; ayes 16, nays 27.	1337	after the expiration of their	
		sentence.	
553 By Perkins. Construction,		Introduced and referred.....	689
improvement and mainte-		Recalled.....	855
nance of highways within		Withdrawn.....	860
towns on primary road sys-			
tem. (C. C. 2943.)		563 By Committee on Banks	
Introduced and referred.....	671	and Banking. Receiverships	
Referred to sifting committee.		for banks. (C. C. 5803.)	
		Introduced.....	689
554 By Perkins. Deposit of		Passed; ayes 37, nays 3.....	821
funds of towns and cities.		Received back.....	842
(C. C. 3530.)		Reported enrolled.....	888
Introduced and referred.....	672	Signed by President.....	894
Recommends.....	776	Sent to Governor.....	909
Amended.....	881	Signed by Governor.....	950
Passed; ayes 34, nays 0.....	882		
Received back.....	1125	564 By Newberry. Filing of	
		demurrers in criminal cases.	
555 By Cessna. Examination		Introduced and referred.....	689
and certification of short-		Recalled.....	1261
hand reporters of the dis-		Referred to sifting committee.	
trict, superior and municipal			
courts.		565 By Cessna. Certification	
Introduced and referred.....	672	and examination of public	
		accountants.	
556 By Cessna. Examination		Introduced and referred.....	689
and registration of profes-		Recommends passage.....	789
sional engineers and land		Substitute filed.....	986
surveyors.		Amended.....	994
Introduced and referred.....	672	Passed; ayes 39, nays 3.....	995
557 By Baird. Listing and tax-		566 By Hartman. To reim-	
ation of property. (C. C.		burse George W. Metcalf for	
4499.)		printing for council of de-	
Introduced and referred.....	672	fense.	
H. F. 557 substituted.....	1286	Introduced and referred.....	690
Withdrawn.....	1606	Recommends passage.....	788
		Referred to appropriations.....	788
558 By Romkey. Legalizing		Recommends passage.....	922
certain contracts awarded		Passed; ayes 36, nays 0.....	1056
prior to January 1, 1923, for		Received back.....	1559
hard surfacing of roads.		Reported enrolled.....	1612
Introduced and referred.....	672	Signed by President.....	1612
Withdrawn.....	902	Sent to Governor.....	1613
		Signed by Governor.....	

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567 By Ethell. To pension survivors of "Davis County Regulators."	
Introduced and referred.....	690
Recommends passage.....	1045
Referred to appropriations.....	1045
Amended	1544
Failed to pass; ayes 31, nays 2.	1544
568 By Brookhart. Authorizing executive council to exchange certain state lands for other lands.	
Introduced and referred.....	690
Recommends passage.....	707
Passed; ayes 34, nays 1.....	765
Received back.....	895
Reported enrolled.....	928
Signed by President.....	933
Sent to Governor.....	933
Signed by Governor.....	993
509 By Committee on Pharmacy. Penalty for the sale of certain drugs. (C. C. 1431.)	
Introduced	692
Amendment filed.....	735
Amended	805
Passed; ayes 37, nays 0.....	806
Received back.....	1347
Senate concurs.....	1360
Reported enrolled.....	1396
Signed by President.....	1410
Sent to Governor.....	1422
Signed by Governor.....	1426
570 By Gilchrist. Representation by both men and women on the committees of political parties.	
Introduced and referred.....	692
Recommends indefinite postponement	784
Report rejected.....	956
Passed; ayes 38, nays 7.....	1074
Received back.....	1481
Reported enrolled.....	1542
Signed by President.....	1542
Sent to Governor.....	1612
Signed by Governor.....	
571 By Committee on Military Affairs. Appropriation for the completion of roster of Iowa world war soldiers, sailors and marines.	
Introduced and referred.....	692
Withdrawn	1286
572 By Committee on Military Affairs. Appropriation for the support and maintenance of the Iowa National Guard Reservation, Camp Dodge.	
Introduced and referred.....	692
Recommends amendment.....	1281
Amendments withdrawn.....	1550
Amended, passed; ayes 34, nays 5	1550
Received back.....	1650
Senate concurs.....	1652
Reported enrolled.....	1677
Signed by President.....	1679
Sent to Governor.....	1700
Signed by Governor.....	

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573 By Stoddard. Condemnation of land for road purposes. (C. C. 2799, 2831.)	
Introduced and referred.....	713
Recommends amendment.....	1245
Referred to sifting committee.	
574 By Stoddard. Dissemination of market reports.	
Introduced and referred.....	714
Indefinitely postponed.....	1120
575 By Adams. Legalizing acts of town of Gruver, Iowa.	
Introduced and referred.....	714
Withdrawn by author.....	1171
576 By Adams. Legalize ordinance of town of Wallingford.	
Introduced and referred.....	714
Withdrawn by author	1170
577 By Adams. Legalize an ordinance of town of Dollywood.	
Introduced and referred.....	714
Withdrawn by author.....	1170
578 By Adams. Legalizing ordinance of town of Ringsted.	
Introduced and referred.....	714
Withdrawn by author.....	1172
579 By Holdoegel. Regulation of lights of motor vehicles. (C. C. 3068.)	
Introduced and referred.....	715
Referred to sifting committee.	
580 By Buser. Changing, alteration and relocation of highways, railroads and railroad crossings. (C. C. 5002.)	
Introduced and referred.....	715
Indefinitely postponed.....	1278
581 By Perkins. Registration of births and deaths.	
Introduced and referred.....	715
582 By Baird. Recording and filing of instruments affecting title to personal property. (C. C. 6326.)	
Introduced and referred.....	715
Recommends passage.....	945
Passed; ayes 38, nays 0.....	1149
Received back.....	1476
583 By Goodwin. Waterworks in cities or towns.	
Introduced and referred.....	715
Recommends amendment.....	1014
Amendments filed.....	1112
H. F. 671 substituted.....	1254
Withdrawn by author.....	1257
584 By Cessna. Fixing the burden of proof in certain actions against telegraph and telephone companies. (C. C. 5324.)	
Introduced and referred.....	715
Indefinitely postponed.....	963

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585 By Bowman. Salaries of probation officers in certain counties. (C. C. 2091.)		Amendments filed.....	795
Introduced and referred.....	716	Referred.....	801
Recommends indefinite postponement.....	975	Recommends amendment.....	864
Failed to pass; ayes 23, nays 13.....	1164	Substitute for committee amendment.....	947
Motion to reconsider.....	1175	Made special order.....	985
Motion to reconsider prevailed.....	1225	Amended.....	997
Passed; ayes 26, nays 18.....	1225	Amendments rejected.....	998
Received back.....	1477	Amendments adopted.....	999
586 By Mead. Licensing and regulation of pool and billiard rooms. (C. C. 3605, 8827, 3136.)		Passed; ayes 36, nays 10.....	1004
Introduced and referred.....	716	Received back.....	1209
Indefinitely postponed.....	1118	Senate refuses to concur.....	1260
587 By Brookhart. Relating to legalizing acts. (S. C. C. 6534-a1.)		Motion to reconsider.....	1291
Introduced and referred.....	716	Senate concurs.....	1292
Recommends passage.....	869	Reported enrolled.....	1333
Passed; ayes 31, nays 2.....	1035	Signed by President.....	1332
Received back.....	1661	Sent to Governor.....	1334
Reported enrolled.....	1677	Signed by Governor.....	
Signed by President.....	1679	593 By Bowman. Limiting the hours of duty required of employees of fire departments in certain cities.	
Sent to Governor.....	1700	Introduced and referred.....	741
Signed by Governor.....		Recommends amendment.....	920
588 By Johnston. Legalizing certain warrants issued by Lucas county.		Amendment adopted.....	1041
Introduced and referred.....	716	Passed; ayes 28, nays 0.....	1041
Recommends passage.....	834	596 By Johnston. Relating to primary elections. (C. C. 395.)	
H. F. 646 substituted.....	904	Introduced and referred.....	741
Withdrawn by author.....	905	Recalled.....	1236
Referred to sifting committee.		Referred to sifting committee.	
589 By Dutcher. Compensate Iowa City for interest on amounts due from state for paving streets extending through and abutting property owned by the state.		597 By Banta. Relating to surety bonds. (C. C. 8433.)	
Introduced and referred.....	716	Introduced and referred.....	755
590 By Romkey. Schools and school districts.		Recommends passage.....	1253
Introduced and referred.....	719	Referred to sifting committee.	
Referred to sifting committee.		598 By Gilchrist. To provide for the storage of grain under state supervision.	
591 By McIntosh. Improvement of streets by grading.		Introduced and referred.....	755
Introduced and referred.....	719	Recommends passage.....	1024
Indefinitely postponed.....	962	H. F. 668 substituted.....	1184
592 By Abben. Regulation and supervision of investment companies.		Withdrawn by author.....	1302
Introduced and referred.....	719	599 By Gilchrist. Use of voting machines.	
Recommends amendment.....	1262	Introduced and referred.....	755
Referred to sifting committee.		Recommends passage.....	964
593 By Browne. Exemption of property from taxation.		Amended.....	1064
Introduced and referred.....	719	Passed; ayes 30, nays 3.....	1064
Recalled.....	1286	Received back.....	1476
Referred to sifting committee.		600 By Holdoegel. Transfer of territory from one school district to another. (C. C. 2513.)	
594 By Committee on Departmental Affairs. Creating a department of agriculture, powers and duties.		Introduced and referred.....	755
Introduced.....	728	Indefinitely postponed.....	1242
Made special order.....	765	601 By Holdoegel. Authorizing of area plan of testing stock for tuberculosis.	
Amended.....	782	Introduced and referred.....	755
		Recommends amendment.....	1024
		602 By Browne. Prohibiting soliciting subscriptions and offering for sale books and supplies at city and county teachers' institutes.	
		Introduced.....	761
		Indefinitely postponed.....	1024

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603 By Buser. Amount of money that can be expended by highway commission in one year for administration purposes. (C. C. 2953.)	
Introduced and referred.....	761
Indefinitely postponed.....	1246
604 By Holdoegel. Power and duties of counties and county officers.	
Introduced and referred.....	792
Referred to sifting committee.	
Amendments filed.....	1453
Recalled	1453
Made special order.....	1453
Action deferred.....	1556
Amended, passed; ayes 38, nays 0	1581
Received back.....	1669
Senate concurs.....	1675
Reported enrolled.....	1695
Signed by President.....	1695
Sent to Governor.....	1700
Signed by Governor.	
605 By Kimberly. Road districts adjoining state lands. (C. C. 2861.)	
Introduced and referred.....	792
Withdrawn by author.....	1102
606 By Committee on Suppression of Intemperance. Sale of intoxicating liquors. (C. C. 1019.)	
Introduced	793
Amended	819
Passed; ayes 35, nays 0.....	819
Received back.....	1093
Reported enrolled.....	1131
Signed by President.....	1131
Sent to Governor.....	1132
Signed by Governor.....	1162
607 By Goodwin. Insurance other than life. (C. C. 5658, 5660.)	
Introduced and referred.....	793
Indefinitely postponed.....	1081
608 By Goodwin. Relating to elections. (C. C. 468.)	
Introduced and referred.....	793
Referred to sifting committee.	
609 By Goodwin. Relating to the canvass of elections. (C. C. 473.)	
Introduced and referred.....	793
Referred to sifting committee.	
610 By Dutcher. Civil practice and procedure.	
Introduced and referred.....	793
Recommends passage.....	991
Amended, passed; ayes 30, nays 14	1198
611 By Stoddard. Authorizing the board of supervisors to transfer unexpended balances from bond issues to the general fund of the county.	
Introduced and referred.....	793
Recommends passage.....	832

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Passed; ayes 35, nays 0.....	906
Received back.....	1180
Senate concurs.....	1186
Reported enrolled.....	1257
Signed by President.....	1258
Sent to Governor.....	1258
Signed by Governor.....	1293
612 By Fulton. Organization and incorporation of credit unions, defining their powers and placing them under the control of the banking department.	
Introduced and referred.....	794
Recommends amendment.....	1476
Referred to sifting committee.	
Placed on calendar.....	1443
613 By Mantz. Vocational rehabilitation of disabled persons.	
Introduced and referred.....	797
Recommends passage.....	976
Referred to appropriations.....	976
Recommends passage.....	1279
Passed; ayes 37, nays 5.....	1537, 1538
Received back.....	1572
Reported enrolled.....	1612
Signed by President.....	1612
Sent to Governor.	
Signed by Governor.	
614 By Mantz. Appropriation of state funds to meet the federal appropriation aiding vocational education.	
Introduced and referred.....	797
Recommends passage.....	976
Referred to appropriations.....	976
Recommends amendment.....	1279
Amendment adopted.....	1539
Passed; ayes 36, nays 1.....	1541
Received back.....	1573
Returns to House.....	1609
Received back.....	1636
Senate concurs.....	1636
Reported enrolled.....	1666
Signed by President.....	1673
Sent to Governor.....	1700
Signed by Governor.	
615 By Buser. Board of engineering examiners. (C. C. 1219.)	
Introduced and referred.....	797
Recommends passage.....	1148
Referred to sifting committee.	
Recommends passage.....	1411
Passed; ayes 32, nays 0.....	1617
Received back.....	1669
Reported enrolled.....	1686
Signed by President.....	1686
Sent to Governor.....	1700
Signed by Governor.	
616 By Abben. Examination, dissolution and appointment of a receiver for insurance companies organized as stock companies other than life. (C. C. 5646.)	
Introduced and referred.....	797
Recommends passage.....	1252
Referred to sifting committee.	

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617 By Mead. Relating to the protection of bass. (C. C. 1107.)	
Introduced and referred.....	797
Recommends passage.....	1249
Referred to sifting committee.	
618 By Haskell. Acquisition by purchase or condemnation of land along and adjacent to meandered streams.	
Introduced and referred.....	809
Recommends amendment.....	920
Amendment adopted.....	1040
Passed; ayes 32, nays 0.....	1040
Received back.....	1481
Reported enrolled.....	1569
Signed by President.....	1612
Sent to Governor.....	1612
Signed by Governor.	
619 By McIntosh. To provide for boards of supervisors to contract with free public libraries and to establish county libraries. (C. C. 3130.)	
Introduced and referred.....	810
Referred to sifting committee.	
620 By Slosson. Licensing and regulation of motor vehicles.	
Introduced and referred.....	810
Recommends passage.....	1028
Passed; ayes 39, nays 3.....	1307
621 By Committee on Banks. Publication of statement of condition of banks. (C. C. 5801.)	
Introduced.....	817
Passed; ayes 28, nays 2.....	901
Received back.....	1125
Reported enrolled.....	1162
Signed by President.....	1178
Sent to Governor.....	1196
Signed by Governor.	
622 By Committee on Banks. Surplus fund of banks and trust companies acting in fiduciary capacity. (C. C. 5831, 5777.)	
Introduced.....	817
H. F. 687 substituted.....	1048
Withdrawn.....	1048
622 By Johnston. Regulating lobbying, requiring the registration of legislative counsel and agents.	
Introduced and referred.....	818
Referred to sifting committee.	
624 By Holdoegel. To legalize \$125,000.00 courthouse bonds in Calhoun county.	
Introduced and referred.....	818
Recommends passage.....	992
Passed; ayes 31, nays 2.....	1042
Received back.....	1072
Reported enrolled.....	1131
Signed by President.....	1131
Sent to Governor.....	1132
Signed by Governor.....	1162

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625 By Committee on Ways and Means. Assessment of property for taxation.	
Introduced.....	831
Made special order.....	1060
Amendment filed.....	1239
Amendments adopted.....	1328
Made special.....	1330
Withdrawn.....	1443
626 By Committee on Ways and Means. Creating local budget boards, powers and duties.	
Introduced.....	831
Made special order.....	1060
Withdrawn.....	1443
627 By Committee on Ways and Means. Creating a state budget board, powers and duties.	
Introduced.....	831
Made special order.....	1060
Withdrawn.....	1443
628 By Romkey. Time that polls shall be open at school elections in certain school corporations. (C. C. 2544.)	
Introduced and referred.....	831
Recommends amendment.....	1241
Referred to sifting committee.	
629 By Committee on Banking. Minimum capital required for organization of new savings banks. (C. C. 5769.)	
Introduced.....	831
Referred.....	908
Recommends amendment.....	1068
Amendments adopted.....	1341
Failed to pass; ayes 19, nays 23.....	1341
630 By Cessna. Invalidating certain state warrants and providing for the issuance of new warrants therefor.	
Introduced and referred.....	832
Recommends passage.....	989
Passed; ayes 36, nays 0.....	1202
Received back.....	1650
Reported enrolled.....	1677
Signed by President.....	1679
Sent to Governor.....	1700
Signed by Governor.	
631 By Mantz. Venue of actions to collect assessments levied to pay losses by hailstorms.	
Introduced and referred.....	832
Recommends amendment.....	990
Amendments adopted.....	1167
Amended, passed; ayes 36, nays 0.....	1167, 1168
Received back.....	1521
Reported enrolled.....	1569
Signed by President.....	1612
Sent to Governor.....	1612
Signed by Governor.	
632 By Kimberly. Licensing of chiropractors and the regulation of the practice of chiropractic.	
Introduced and referred.....	858
Referred to sifting committee.	
Placed on calendar.....	1475

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633 By Darting. Registering of motor vehicles in garages. (C. C. 3079.)		Introduced and referred.....	894
Introduced and referred.....	858	Recommends amendment.....	1136
Indefinitely postponed.....	1229	H. F. 682 substituted.....	1195
634 By Smith. Bounties to be paid on groundhogs, gophers and rattlesnakes caught and killed. (C. C. 3358, 3361, 3364.)		Withdrawn by author.....	1235
Introduced and referred.....	859	642 By Mead. Fishing in the boundary waters. (C. C. 1116.)	
Indefinitely postponed.....	975	Introduced and referred.....	894
635 By Smith. Contracts for road work and materials furnished for such work. C. C. 2919.)		Recommends passage.....	1249
Introduced and referred.....	859	Referred to sifting committee.	
Recommends amendment.....	1244	643 By Romkey. Licensing of certain dealers in fruits and vegetables.	
Referred to sifting committee.		Introduced and referred.....	903
636 By Buser. Providing that expense incurred by county officials attending state conventions of county officials shall not be paid from county funds.		Rereferred	947
Introduced and referred.....	859	Recommends passage.....	1070
Recommends passage.....	974	Amendment filed.....	1239
Passed; ayes 31, nays 13.....	1152, 1153	Amended	1344
Received back.....	1347	Failed to pass; ayes 12, nays 25.	1344
Reported enrolled.....	1378	644 By Romkey. Legalizing certain contracts awarded by board of supervisors of Des Moines county regarding hard surfacing of roads.	
Signed by President.....	1392	Introduced and referred.....	903
Sent to Governor.....	1392	Recommends passage.....	1118
Signed by Governor.....	1410	Passed; ayes 28, nays 1.....	1231
637 By Buser. Extending the provisions of section 1306-b of the supplement to the code so as to apply to special charter cities. (C. C. 4054.)		Received back.....	1348
Introduced and referred	859	Reported enrolled.....	1396
Recommends passage.....	1082	Signed by President.....	1410
Amended, passed; ayes 39, nays 0	1331	Sent to Governor.....	1422
Received back.....	1522	Signed by Governor.....	1426
Reported enrolled.....	1569	645 By Romkey. Contracts and maintenance bonds for street and sewer improvements.	
Signed by President.....	1612	Introduced and referred.....	903
Sent to Governor.....	1612	Recommends passage.....	990
Signed by Governor.		Passed; ayes 33, nays 0.....	1199
638 By Adams. Insurance other than life. (C. C. 5605.)		Received back.....	1284
Introduced and referred.....	859	Senate concurs.....	1283
Recommends substitute.....	1138	Reported enrolled.....	1333
Referred to sifting committee.		Signed by President.....	1333
On calendar.....	1516	Sent to Governor.....	1334
H. F. 514 substituted.....	1619	Signed by Governor.	
Withdrawn by author.....	1620	646 By Romkey. Oiling of streets and alleys and taxing the cost to property benefited. (C. C. 3923.)	
639 By Buser. To provide for an occupation tax upon common carriers. (C. C. 4536.)		Introduced and referred.....	903
Introduced and referred.....	893	Recommends passage.....	1082
Indefinitely postponed.....	1243	H. F. 734 substituted.....	1352
640 By Banta. Insurance other than life. (S. C. C. 5628.)		Withdrawn by author.....	1353
Introduced and referred.....	893	647 By Brookhart. Illegal rates of interest and recovery of excess charges. (C. C. 5891.)	
Indefinitely postponed.....	1098	Introduced and referred.....	903
641 By Adams. Authorizing the issuance by assessment life associations of certificates or policies of insurance on the legal reserve or level premium plan. (C. C. 5512, 5523.)		648 By Shinn. To create a state highway department in lieu of the state highway commission. (C. C. 2858, 2860, 2905, 2918.)	
		Introduced and referred.....	903
		Referred to sifting committee.	
		649 By Wichman. To authorize the executive council to exchange certain lands belonging to the state for other lands located in Hancock county.	

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Introduced and referred.....	911
Recommends passage.....	1109
H. F. 748 substituted.....	1354
650 By Browne. Supervision and examination of private banks by the superintendent of banking.	
Introduced and referred.....	911
Indefinitely postponed.....	1264
651 By Shane. Paving of extensions of primary roads within cities.	
Introduced and referred.....	911
Referred to sifting committee.	
652 By Romkey. Relating to fees of justices of the peace and constables. (S. C. C. 6837.)	
Introduced and referred.....	911
Recommends amendment.....	1109
Amendment adopted.....	1353
Referred to sifting committee.	
653 By Banta. Management of banks and the conduct of directors and officers thereof.	
Introduced and referred.....	911
Referred to sifting committee.	
654 By Mantz. Issuance of second grade certificates. (C. C. 2486.)	
Introduced and referred.....	911
Recommends passage.....	1022
Amended, passed; ayes 37, nays 5	1304
655 By Fulton. Tuition in the state college of agriculture and mechanic arts. (C. C. 2397.)	
Introduced and referred.....	911
Recalled.....	1261
Referred to sifting committee.	
Recommends passage.....	1411
Amended, passed; ayes 32, nays 8	1643
656 By Horchem. To create a literacy commission and appropriate therefor.	
Introduced and referred.....	912
Recommends passage.....	992
Referred to appropriations.....	992
Indefinitely postponed.....	1282
657 By Tuck. Requiring cities and towns to limit annual expenditures from the several funds to the annual collectible revenue for such funds.	
Introduced and referred.....	912
Recommends indefinite postponement.....	1265
Report rejected.....	1266
Referred to sifting committee.	
658 By Price. To provide procedure in cases where a will has been admitted to probate in a state other than Iowa.	
Introduced and referred.....	912
Recalled.....	1286
Referred to sifting committee.	

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659 By Horchem. To provide for the appointment of a child welfare commission, powers and duties.	
Introduced and referred.....	912
Recommends passage.....	1117
Referred to sifting committee.	
Committee recommends passage.....	1411
Withdrawn by author.....	1616
660 By Kimberly. To legalize ordinances of the city of Davenport.	
Introduced and referred.....	912
Referred to sifting committee.	
Recommends passage.....	1426
Withdrawn by author.....	1531
661 By Newberry. Application for appointment of administrator where an executor is not appointed by will.	
Introduced and referred.....	913
Recommends passage.....	1117
Referred to sifting committee.	
662 By Newberry. To punish the making or use of false statements to claim property or credit.	
Introduced and referred.....	913
Referred to sifting committee.	
663 By Brookhart. Valuation of railways for the purpose of assessing. (C. C. 4546.)	
Introduced and referred.....	913
Recommends indefinite postponement.....	1243
Committee report rejected.....	1243
Referred to sifting committee.	
664 By Reed. Construction improvement and maintenance of highways.	
Introduced and referred.....	913
Referred to sifting committee.	
665 By Reed. Granting power to any city or town to appoint a zoning commission.	
Introduced and referred.....	913
Recommends passage.....	1081
Amendment filed.....	1204
Amended, passed; ayes 27, nays 13	1373, 1377
Received back.....	1652
Reported enrolled.....	1677
Signed by President.....	1686
Sent to Governor.....	1700
Signed by Governor.	
666 By Mantz. Taxation of agricultural lands within cities and towns. (C. C. 3485.)	
Introduced and referred.....	914
Recommends passage.....	1015
Passed; ayes 38, nays 0	1202
Received back.....	1522
Senate concurs.....	1534
Reported enrolled.....	1569
Signed by President.....	1612
Sent to Governor.....	1612
Signed by Governor.	

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667 By Bergman. Taxation, licensing and controlling of dogs.		674 By Haskell and Baird. Relating to the publication of ordinances. (C. C. 3580.)	
Introduced and referred.....	914	Introduced and referred.....	915
Referred to sifting committee.		Recommends amendment.....	1275
Recommends passage.....	1335	Referred to sifting committee.	
Passed; ayes 29, nays 0.....	1627	Recommends passage.....	1411
Received back.....	1669	Amendment adopted.....	1535
Reported enrolled.....	1686	Passed; ayes 38, nays 0.....	1538
Signed by President.....	1686	Received back.....	1650
Sent to Governor.....	1700	Reported enrolled.....	1677
Signed by the Governor.		Signed by President.....	1679
668 By Bergman. To compensate John W. Martin for professional services rendered to C. W. Adams while a member of the national guard.		Sent to Governor.....	1700
Introduced and referred.....	914	Signed by Governor.	
Recommends passage.....	1272	675 By Goodwin. Compensation for members of the board of registration. (C. C. 409.)	
Referred to appropriations.....	1272	Introduced and referred.....	915
Recommends passage.....	1415	Indefinitely postponed.....	1229
Passed; ayes 36, nays 0.....	1618	676 By White. Signs at railroad crossings and speed of motor vehicles over crossings. (C. C. 5073.)	
Received back.....	1674	Introduced and referred.....	916
Reported enrolled.....	1686	677 By Thurston. Valuation of property for purposes of taxation. (C. C. 4584.)	
Signed by President.....	1686	Introduced and referred.....	916
Sent to Governor.....	1700	Recommends passage.....	1276
Signed by the Governor.		Referred to sifting committee.	
669 By Committee on Manufactures. To protect interests of state against trade practice known as "Pittsburgh Plus."		Placed on calendar.....	1574
Introduced and referred.....	914	Failed to pass; ayes 13, nays 17.....	1675
Recommends passage.....	1160	678 By Thurston. Relating to working roads. (C. C. 2970.)	
Passed; ayes 37, nays 0.....	1338	Introduced and referred.....	916
Received back.....	1572	Recommends passage.....	974
Reported enrolled.....	1612	Amendment filed.....	1066
Signed by President.....	1612	Amended; passed; ayes 28, nays 1.....	1165
Sent to Governor.		Received back.....	1476
Signed by Governor.		679 By Stoddard. Regulation of railroads within cities and towns. (C. C. 3817.)	
670 By Cessna. Investment of funds of life insurance companies and associations. (C. C. 5532.)		Introduced and referred.....	916
Introduced and referred.....	914	Indefinitely postponed.....	1279
Recommends amendment.....	1252	680 By Brookhart. Qualification of delegates or representatives to district, state or national meetings of fraternal beneficiary associations.	
Referred to sifting committee.		Introduced and referred.....	916
671 By Perkins. For removal of illegality or uncertainty in contracts relating to drainage improvements.		Withdrawn by author.....	1148
Introduced and referred.....	914	681 By Stoddard. Certain charges by the curator of the historical department for certified copies of certain documents.	
Recommends passage.....	990	Introduced and referred.....	934
Passed; ayes 29, nays 2.....	1196	Recommends passage.....	990
Received back.....	1514	Amended; passed; ayes 37, nays 0.....	1197
Reported enrolled.....	1569	Recommends amendment.....	1624
Signed by President.....	1612	Referred to sifting committee.	
Sent to Governor.....	1612	682 By Nelson. Registration of animals. (C. C. 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813.)	
Signed by Governor.		Introduced and referred.....	934
672 By Perkins. Providing an additional judge in the sixteenth judicial district. (C. C. 6937.)		Referred to sifting committee.	
Introduced and referred.....	915		
Recommends passage.....	1278		
Referred to sifting committee.			
Placed on calendar.....	1475		
673 By Dutcher. Regulation and supervision of investment companies.			
Introduced and referred.....	915		
Referred to sifting committee.			

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683 By Campbell. Bonded warehouses for agricultural products.		694 By Shinn. Requiring the court, in imposing sentences of confinement in the penitentiary, to fix the minimum sentence. (C. C. 9528.)	
Introduced and referred.....	934	Introduced	944
Recommends passage.....	1119	Without recommendation.....	1266
Passed; ayes 31, nays 0.....	1232	Referred to sifting committee.	
Referred to sifting committee.			
684 By Kimberly. School funding and refunding bonds. (C. C. 2659.)		695 By Thurston. Examination and inquiry into the affairs of fraternal beneficiary societies. (C. C. 5573.)	
Introduced and referred.....	942	Introduced	941
Indefinitely postponed.....	1242	Indefinitely postponed.....	1081
685 By Thurston. Power of commissioner of insurance with reference to examination of affairs of insurance companies. (C. C. 5468.)		696 By Bowman. Creating a board of commerce and trade, powers and duties.	
Introduced and referred.....	942	Introduced	941
Indefinitely postponed.....	1273	Recommends substitute.....	1267
686 By Goodwin. Assessment of witness fees. (C. C. 7368.)		Referred to sifting committee.	
Introduced and referred.....	942		
Referred to sifting committee.		697 By Bergman. Authorizing the creation of the office of county manager.	
687 By Goodwin. Witness fees. (C. C. 6869.)		Introduced	945
Introduced and referred.....	942	Without recommendation.....	1264
Referred to sifting committee.		Referred to sifting committee.	
688 By Goodwin. Light service along highways.		Placed on calendar.....	1475
Introduced and referred.....	942	Withdrawn by author.....	1620
Referred to sifting committee.			
689 By Goodwin. Registration of voters. (C. C. 413, 414; S. C. C. 411.)		698 By Holdoegel. Eradication and destruction of weeds. (C. C. 3001, 3003, 3004, 3006.)	
Introduced and referred.....	943	Introduced	945
Referred to sifting committee.		Indefinitely postponed.....	1272
690 By Goodwin. Oiling of streets and alleys. (C. C. 3923, 4395.)		699 By Committee on Appropriations. Appropriation to aid in promotion of Great Lakes-St. Lawrence waterway project.	
Introduced and referred.....	943	Introduced	972
Indefinitely postponed.....	1083	Amended	1129
691 By Gilchrist. Manner of giving notice of intention to make street and sewer improvements. (C. C. 4379.)		Failed to pass; ayes 21, nays 21.....	1130
Introduced and referred.....	943	Motion filed to reconsider.....	1132
Referred to sifting committee.		Motion to reconsider prevailed.....	1226
Committee recommends passage.....	1335	Passed; ayes 28, nays 10.....	1226
692 By Holdoegel. Levees, ditches and waterfalls. (C. C. 4881, 4885.)		Received back.....	1560
Introduced and referred.....	943	Reported enrolled.....	1612
Recommends amendment.....	1277	Signed by President.....	1613
Referred to sifting committee.		Sent to Governor.....	1613
693 By Cessna. An act to abolish the board of parole and to impose the duties thereof on the board of control. (C. C. 2247, 2248, 2251, 2252, 2246, 2249, 2256, 2257; S. C. C. 1852, 2258, 2242.)		Signed by Governor.	
Introduced and referred.....	943	700 By Committee on Public Schools. To provide for physical education and training in health in public schools.	
Indefinitely postponed.....	1271	Introduced	1044
		Amended, passed; ayes 36, nays 2.....	1311
		Received back.....	1481
		Reported enrolled.....	1542
		Signed by President.....	1542
		Sent to Governor.....	1612
		Signed by Governor.	
		701 By Committee on Motor Vehicles. Disposition of stolen, embezzled or abandoned motor vehicles not claimed by owner. (C. C. 8054.)	
		Introduced	1044
		Passed; ayes 37, nays 2.....	1310

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Received back.....1573
 Senate concurs.....1587
 Reported enrolled.....1644
 Signed by President.....1644
 Sent to the Governor.....1652
 Signed by Governor.

702 By Committee on Conservation. State board of conservation, powers and duties.

Introduced1068
 Amendment filed.....1361
 Amended, passed; ayes 27, nays 131391
 Received back.....1630
 Reported enrolled.....1661
 Signed by President.....1666
 Sent to Governor.....1666
 Signed by Governor.

703 By Committee on Judiciary No. 1. Sale of bonds of state to be approved by executive council.

Introduced1084
 Passed; ayes 41, nays 1.....1335
 Received back.....1346
 Reported enrolled.....1378
 Signed by President.....1392
 Sent to Governor.....1392
 Signed by Governor.....1410

704 By Committee on Claims. Appropriation to pay claim of Clinton Advertiser.

Introduced1084

705 By Committee on Claims. Appropriation to pay claim of R. F. Wolfe.

Introduced1084

706 By Committee on Claims. Appropriation to pay claim of Globe Machinery and Supply Company.

Introduced1085

707 By Committee on Claims. Appropriation to pay claim of G. M. Rogensack.

Introduced1085

708 By Committee on Claims. Appropriation to pay for supplies furnished engineering examiners.

Introduced1085

709 By Committee on Claims. Appropriation to pay claim of McNamara Office Supply Company.

Introduced1085

710 By Committee on Appropriations. Appropriation to provide portrait of Jonathan Prentiss Dolliver.

Introduced1115
 Referred1124
 Recommends passage.....1282
 Passed; ayes 37, nays 0.....1405
 Received back.....1607
 Reported enrolled.....1651
 Signed by President.....1666
 Sent to Governor.....1666
 Signed by Governor.

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711 By Committee on Appropriations. Appropriation for Ardis Roberdee, injured in line of duty at Camp Dodge.

Introduced1116
 Referred1124
 Recommends amendment.....1293
 Amendment adopted.....1542
 Amended, passed; ayes 36, nays 01543, 1544
 Received back.....1607
 Reported enrolled.....1651
 Signed by President.....1666
 Sent to Governor.....1666
 Signed by Governor.

712 By Committee on Departmental Affairs. Regulation of certain persons, companies, partnerships, associations or corporations. (C. C. 5409-5416.)

Introduced1116
 Passed; ayes 36, nays 0.....1580

713 By Committee on Ways and Means. Assessment and taxation of moneys, credits and other forms of intangible property.

Introduced1116
 Made special order.....1396
 Amendment filed.....1475
 Substitute adopted.....1504-1512
 Amendments filed.....1516
 Action deferred.....1556
 Amended1583-1586
 Amended, action deferred.....1593

714 By Committee on Ways and Means. To legalize taxes heretofore paid, or assessed upon the shares of national, state or savings banks.

Introduced1116
 Made special order.....1396
 Passed; ayes 41, nays 0.....1594
 Received back.....1669

715 By Committee on Judiciary No. 2. Special assessments and appeals therefrom. (C. C. 3903.)

Introduced1117
 Amended, passed; ayes 40, nays 0 1368
 Received back.....1630
 Reported enrolled.....1661
 Signed by President.....1666
 Sent to Governor.....1666
 Signed by Governor.

716 By Committee on Judiciary No. 2. Regulating the construction, etc., of elevators.

Introduced1117
 H. F. 803 substituted.....1357
 Withdrawn1357

717 By Committee on Public Health. Making it unlawful to place or deposit anything that emits any noxious, offensive or dangerous substance.

Introduced1133
 Passed; ayes 46, nays 0.....1460

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718 By Committee on Departmental Affairs. Use of rooms in the state capitol building and furnishing of supplies by executive council.		Received back.....	1608
Introduced.....	1133	Reported enrolled.....	1644
Passed; ayes 32, nays 0.....	1483	Signed by President.....	1644
Received back.....	1573	Sent to Governor.....	1652
Reported enrolled.....		Signed by the Governor.....	
Signed by President.....	1612		
Sent to Governor.....			
Signed by Governor.....			
719 By Committee on Claims. To compensate L. M. Martin for expenses incurred as a member of state board of engineering examiners.		726 By Committee on Cities and Towns. Empowering cities to permit consolidation of telephone companies.	
Introduced.....	1154	Introduced.....	1357
720 By Committee on Claims. Regulating the filing of claims.		Passed; ayes 34, nays 0.....	1619
Introduced.....	1187		
H. F. 808 substituted.....	1332	727 By Committee on Insurance. Funds accumulated by fraternal beneficiary societies, orders and associations. (C. C. 5552.)	
Withdrawn.....	1368	Introduced, placed on calendar.....	1260
721 By Committee on Suppression of Intemperance. Property offered as stake, prize or premium in any game of chance, lottery.			
Introduced.....	1208	728 By Committee on Printing. Requiring city and town councils to designate an official newspaper.	
H. F. 797 substituted.....	1417	Introduced.....	1260
722 By Committee on Appropriations. Duties of state entomologist, quarantine of plant diseases, eradication of harmful plants and making an appropriation therefor. (C. C. 2425, 2430.)		Amended.....	1622
Introduced.....	1237	Withdrawn.....	1622
Passed; ayes 33, nays 0.....	1553		
Received back.....	1669	729 By Committee on Ways and Means. Assessment of cars owned by freight line and equipment companies.	
Reported enrolled.....	1686	Introduced.....	1261
Signed by President.....	1686	Withdrawn.....	1620
Sent to Governor.....	1700		
Signed by the Governor.....			
723 By Committee on Fish and Game. To prohibit persons from shooting upon or from public highways.		730 By Committee on Ways and Means. Relating to assessment of property, books of the assessor. (C. C. 4594, 4595.)	
Introduced.....	1237	Introduced.....	1261
Passed the Senate; ayes 32, nays 1.....	1557	Amended, passed; ayes 35, nays 0.....	1401
724 By Committee on Cities and Towns. To amend S. F. 319, 40th G. A. relating to powers of special charter cities by providing for time when act shall take effect.			
Introduced.....	1257	731 By Committee on Public Schools. Authorizing the consolidated school district of Carpenter to issue its warrants.	
Passed; ayes 40, nays 0.....	1285	Introduced.....	1261
Received back.....	1334	H. F. 813 substituted.....	1557
Reported enrolled.....	1345	Withdrawn.....	1558
Signed by President.....	1349		
Sent to Governor.....	1350		
Signed by Governor.....	1350		
725 By Committee on Cities and Towns. To authorize the city of Rock Rapids to transfer funds from the sewer fund to the general fund.		732 By Committee on Insurance. Policies issued under the provisions of chapter 120, 39th G. A., to insure against loss by hail storms. (S. C. C. 5696-a1.)	
Introduced.....	1257	Introduced.....	1299
Passed; ayes 30, nays 0.....	1563		
		733 By Committee on Departmental Affairs. Duties of the board of audit. (C. C. 282, 274, 277, 279.)	
		Introduced.....	1299
		Passed the Senate; ayes 34, nays 0.....	1597
		734 By Committee on Departmental Affairs. To provide Secretary of Agriculture shall be member of executive council.	
		Introduced.....	1299
		Passed; ayes 33, nays 2.....	1595, 1596
		Received back.....	1661

S. F.	Page	S. F.	Page
Reported enrolled.....	1677	742 By Sifting Committee. To	
Signed by President.....	1679	legalize acts of officers of	
Sent to Governor.....	1700	Marion county, relating to	
Signed by Governor.....		Sugar Creek Drainage Dis-	
		trict Number One.	
735 By Committee on Judiciary		Introduced	1379
No. 2. Authorizing school		Passed; ayes 39, nays 0.....	1403
corporations in which the		Received back.....	1420
school house has been de-		Reported enrolled.....	1445
stroyed by fire prior to Sept.		Signed by President.....	1445
1, 1823, to call a special meet-		Sent to Governor.....	1445
ing to vote on the question		Signed by the Governor.....	
of issuing bonds.			
Introduced	1322	743 By Sifting Committee. To	
Passed; ayes 43, nays 0.....	1330	legalize issuance of bonds by	
Received back.....	1346	Waterloo.	
Reported enrolled.....	1378	Introduced	1406
Signed by President.....	1392	Passed; ayes 37, nays 0.....	1407
Sent to Governor.....	1392	Received back.....	1652
Signed by Governor.....	1410	Reported enrolled.....	1677
		Signed by President.....	1679
736 By Committee on Rail-		Sent to Governor.....	1700
roads. Maintenance of signs		Signed by Governor.....	
on public highways at rail-			
road crossings.		744 By Sifting Committee. To	
Introduced	1322	legalize warrants issued by	
Withdrawn	1588	Monroe county.	
737 By Committee on Rail-		Introduced	1426
roads. Powers and duties of		Passed; ayes 27, nays 0.....	1566
board of railroad commis-		Received back.....	1609
sioners and regulation of		Reported enrolled.....	1644
carriers. (C. C. 5177.)		Signed by President.....	1644
Introduced	1322	Sent to Governor.....	1652
Withdrawn	1602	Signed by Governor.....	
738 By Committee on Land		745 By Committee on Appro-	
Titles. Appointment by the		priations. Appropriation for	
Governor of a commission on		the payment of state and	
land titles.		other expenses.	
Introduced	1323	Introduced	1426
H. F. 818 substituted.....	1558	Amendments filed.....	1517-1519
Withdrawn	1559	Amended	1551
		Passed; ayes 38, nays 0.....	1553
739 By Schmedika. Relating to		Received back.....	1650
the payment of taxes and to		Senate concurs.....	1654
penalties thereon.		Reported enrolled.....	1686
Introduced	1337	Signed by President.....	1686
Amended, made special order.....	1392	Sent to Governor.....	1700
Amended, passed; ayes 39, nays			
1	1466	Signed by the Governor.....	
Received back.....	1631	746 By Sifting Committee. To	
Senate concurs.....	1631	legalize warrants issued by	
Reported enrolled.....	1661	Dickinson county.	
Signed by President.....	1666	Introduced	1450
Signed by Speaker.....	1897	Passed; ayes 29, nays 0.....	1565
Sent to Governor.....	1666	H. F. 826 substituted.	
		Withdrawn	
740 By Committee on Cities			
and Towns. Playgrounds and		747 By Committee on Public	
recreation centers on lands		Schools. Board of directors	
and in buildings owned by		of independent and city or	
the city.		town school districts may in	
Introduced	1361	certain cases transfer any	
Passed; ayes 33, nays 0.....	1561, 1562	excess in the general fund to	
Received back.....	1608	the schoolhouse fund.	
Reported enrolled.....	1644	Introduced	1450
Signed by President.....	1644	H. F. 828 substituted.....	1620
Sent to Governor.....	1652	Withdrawn	1621
Signed by the Governor.....			
		748 By Committee on High-	
741 By Committee on Conser-		ways. Authorizing highway	
vation. Permits for construc-		commission to build offices	
tion of dams in navigable		at Ames.	
streams.		Introduced	1492
Introduced	1362	H. F. 831 substituted.....	1650
H. F. 821 substituted.....	1597		

S. F.	Page	S. F.	Page
749 By Committee on Appropriations. Appropriation for the payment of state and other expenses.		756 By Committee on Appropriations. Appropriation to enable the railroad commission to carry out the provisions of House File 361, as amended by Fortieth General Assembly.	
Introduced	1492	Introduced	1572
Amended, passed; ayes 37, nays 2	1649	Passed; ayes 37, nays 0	1659
Received back	1674	Received back	1674
Reported enrolled	1695	Reported enrolled	1686
Signed by President	1695	Signed by President	1686
Sent to Governor	1700	Sent to Governor	1700
Signed by the Governor.		Signed by Governor.	
750 By Sifting Committee. Assessment of personal and real property. (C. C. 4493.)		757 By Committee on Appropriations. Appropriation for the payment of state and other expenses.	
Introduced	1548	Introduced	1673
H. F. 829 substituted	1679	Amended, passed; ayes 38, nays 5	1660
Withdrawn	1680	Received back	1674
751 By Committee on Appropriations. Appropriation for collecting census in 1925.		Reported enrolled	1695
Passed; ayes 34, nays 0	1658	Signed by President	1695
Received back	1674	Sent to Governor	1700
Reported enrolled	1686	Signed by Governor.	
Signed by President	1686		
Sent to Governor	1700	758 By Sifting Committee. To amend Senate File No. 563 passed by Fortieth General Assembly, to take effect on publication.	
Signed by Governor.		Introduced	1673
752 By Committee on Appropriations. Appropriation for the maintenance of capitol grounds.		Passed; ayes 38, nays 0	1678
Passed; ayes 35, nays 2	1658	Received back	1699
Received back	1700	Reported enrolled	1700
Senate concurs	1701	Signed by President	1700
Reported enrolled	1706	Sent to Governor	1711
Signed by President.		Signed by Governor.	
Sent to the Governor	1711		
Signed by Governor.		759 By Caldwell. To amend Senate File 273, acts of the Fortieth General Assembly relating to gasoline tax.	
753 By Committee on Code Revision. Preparation, printing and distribution of a supplement to the compiled code, etc.		Introduced	1673
Introduced	1548	Passed; ayes 26, nays 4	1691
Amended, passed; ayes 37, nays 1	1579	Received back	1699
Received back	1630	Reported enrolled	1700
Reported enrolled	1661	Signed by President	1700
Signed by President	1666	Sent to Governor	1711
Sent to Governor	1666	Vetoed by Governor.	
Signed by Governor.			
754 By Committee on Ways and Means. Fixing number and compensation of employees in the state departments.		760 By Sifting Committee. Relating to the county road building fund. (C. C. 2870.)	
Introduced	1571	Introduced	1701
Amended, passed; ayes 30, nays 14	1662-1665	Passed; ayes 41, nays 2	1702
Senate concurs	1695-1698		
Reported enrolled	1706	761 By Committee on Ways and Means. Designating amount of revenue for general state purposes for which levy is to be made by executive council.	
Signed by President.		Introduced	1708
Sent to Governor	1711	Passed; ayes 49, nays 0	1709
Signed by Governor.		Received back	1710
755 By Sifting Committee. Authorizing the highway commission to construct offices at Ames.		Reported enrolled	1710
Introduced, placed on calendar.	1571	Signed by President	1669
		Sent to Governor	1711
		Signed by Governor.	

HISTORY OF HOUSE BILLS IN SENATE

RECORD OF JOINT RESOLUTIONS

H. F.	Page	H. F.	Page
1 By Bradley. Fixing the compensation of the officers and employees of the Fortieth General Assembly.		7 By Committee on Banks and Banking. Authorizing the secretary of state to make Senate File No. 563, passed by the Fortieth General Assembly, effective immediately by publication.	
Received	92	Referred	1333
Passed; ayes 44, nays 0.....	93	Recommends passage.....	1346
4 By Bradley. Selection, compensation and duties of additional employees of the Fortieth General Assembly.		Passed; ayes 37, nays 0.....	1365
Received	208	Signed by President.....	1411
Passed; ayes 29, nays 2.....	209	8 By Committee on Judiciary. Authorizing the secretary of state to make House File No. 356, passed by the Fortieth General Assembly, effective immediately by publication.	
Signed by President.....	303	Referred to sifting committee.....	1397
5 By Graham, Hauge. To make women eligible to membership in the House of Representatives.		Passed; ayes 35, nays 0.....	1414
Referred	275	Signed by President.....	1450
Recommends passage.....	412	9 By Committee on Appropriations. Tuition and fees charged at the state educational institutions of Iowa.	
Substituted for S. J. R. 3.....	413	Referred	1609
Passed; ayes 44, nays 0.....	430	10 By Carter. Appointment of a joint committee of the House and Senate to consider the advisability of coordinating the work of the State University, College of Agriculture and Mechanic Arts, and the State Teachers College.	
Returned Senate.....	491	Placed on calendar.....	1642
Third reading reconsidered.....	503	Failed to pass; ayes 20, nays 20.....	1687
Amended	503		
Passed; ayes 44, nays 0.....	504		
Signed by President.....	633		
6 By Hauge. Providing for the annual display of the American flag on Mother's day, the second Sunday of May.			
Referred	1192		
Recommends passage.....	1261		
To sifting committee.			
Recommends passage.....	1411		
Passed; ayes 34, nays 0.....	1616		
Signed by President.....	1666		

RECORD OF EACH BILL

H. F.	Page	H. F.	Page
2 By Committee on Code Revision. Relating to the acquisition by the United States of lands in this state.		30 By Committee on Code Revision. Relating to contesting elections of state officers.	
Referred	367, 369	Referred	675
Committee recommends passage	1083	Referred to sifting committee.	
10 By Committee on Code Revision. Relating to the department of justice and the attorney general.		35 By Committee on Code Revision. Relating to the right of soldiers, sailors, marines and nurses to preference in appointment to office.	
Referred	270	Referred	369
16 By Committee on Code Revision. Relating to the census.		Recommends passage.....	409
Referred	549	Passed; ayes 35, nays 0.....	434
Recommends amendment.....	705	Signed by President.....	474
Amendment adopted.....	780	38 By Committee on Code Revision. Relating to notaries public.	
Passed; ayes 36, nays 0.....	780	Referred	315
Signed by President.....	964	Recommends passage.....	409

H. F.	Page	H. F.	Page
Rereferred	435	78 By Committee on Code Revision. Relating to occupying claimants.	
Recommends amendment.....	460	Referred	370
Amendment rejected.....	497	Recommends passage.....	1083
Passed; ayes 31, nays 1.....	498	80 By Committee on Code Revision. Relating to landlord and tenant.	
House returns.....	614	Referred	357
Amended	629	Recommends passage.....	381
Passed	629	Passed; ayes 38, nays 0.....	401
Signed by President.....	705	Signed by President.....	447
48 By Committee on Code Revision. Relating to boards of arbitration.		82 By Committee on Code Revision. Relating to trustees to manage cemetery funds.	
Referred	270	Referred	459
Substituted	296	Recommends passage.....	834
Passed; ayes 38, nays 1.....	331	98 By Committee on Code Revision. Education—juvenile home.	
Signed by President.....	372	Referred	554
52 By Committee on Code Revision. Relating to boards of prostitution.		To sifting committee.	
Referred	551	104 By Committee on Code Revision. Education—special meetings, report county superintendent.	
56 By Committee on Code Revision. Relating to fences.		Referred	458
Referred	551	106 By Committee on Code Revision. Education—standard schools.	
Recommends amendment.....	688	Referred	379
Amendments adopted.....	728	Recommends passage.....	537
Passed; ayes 41, nays 0.....	729	Passed; ayes 38, nays 2.....	572
Signed by President.....	826	Signed by President.....	633
57 By Committee on Code Revision. Relating to lost property.		116 By Committee on Code Revision. Education—Iowa geological survey.	
Referred	549	Referred	418
Recommends amendment.....	743	Recommends amendment.....	964
58 By Committee on Code Revision. Relating to the practice of professional engineering and land surveying.		120 By Committee on Code Revision. Improvement and maintenance of state road districts.	
Referred	675	Referred	492
Recommends passage.....	789	Recommends amendment.....	741
60 By Committee on Code Revision. Relating to certified public accountants.		Amendments adopted.....	1168
Received	1397	Amended, passed; ayes 26, nays 10.....	1169
Passed; ayes 34, nays 0.....	1589	Signed by President.....	1258
Signed by President.....	1644	122 By Committee on Code Revision. Patrolling of public highways.	
61 By Committee on Code Revision. Relating to gold and silver alloy.		Referred	315
Referred	553	Recommends passage.....	741
Recommends passage.....	756	126 By Committee on Code Revision. Removal of obstructions from public highways.	
70 By Committee on Code Revision. Relating to the lien for services of stallions and jacks.		Referred	404
Referred	458	Referred to sifting committee.	
Recommends passage.....	548	Recommends passage.....	1335
Passed; ayes 37, nays 0.....	572	128 By Committee on Code Revision. Use of public highways.	
Signed by President.....	633	Referred	986
75 By Committee on Code Revision. Relating to chattel mortgages and conditional sales of personal property and sales of stocks of merchandise in bulk.		Referred to sifting committee.	
Referred	1238		
To sifting committee.			
76 By Committee on Code Revision. Relating to real property.			
Received in Senate.....	305		
Indefinitely postponed.....	325		

H. F.	Page
132 By Committee on Code Revision. County treasurer.	
Referred	404
Recommends passage.....	493
Passed; ayes 28, nays 1.....	523
Signed by President.....	589
136 By Committee on Code Revision. Relating to the corner.	
Referred	370
Recommends passage.....	684
Passed; ayes 36, nays 0.....	753
Signed by President.....	853
137 By Committee on Code Revision. Compensation of county officers and deputies and collection and accounting of fees.	
Referred	1156
Recalled	1286
Substituted for S. F. 137.....	1294
Amended, passed; ayes 38, nays 7.....	1295
Senate requests return.....	1345
Amended, passed; ayes 36, nays 3.....	1386
Signed by President.....	1450
146 By Committee on Code Revision. Bounties on wild animals.	
Referred	418
Recommends passage.....	493
Passed; ayes 29, nays 0.....	522
Signed by President.....	589
148 By Committee on Code Revision. Changing names of villages.	
Referred	969
Recommends passage.....	1248
150 By Committee on Code Revision. Relating to jails.	
Referred	369
Recommends passage.....	605
Amended	641
Passed; ayes 30, nays 0.....	642
Signed by President.....	705
152 By Committee on Code Revision. Relating to township halls.	
Referred	418
Recommends passage.....	493
Passed; ayes 28, nays 0.....	521
Signed by President.....	589
156 By Committee on Code Revision. Municipal corporations—ordinances.	
Referred	969
Without recommendation.....	1264
160 By Committee on Code Revision. Municipal corporations—board of public works.	
Referred	969
Recommends passage.....	1082
162 By Committee on Code Revision. Municipal corporations—comfort stations.	
Referred	315
Recommends passage.....	410

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Passed; ayes 41, nays 0.....	438
Signed by President.....	474
175 By Committee on Code Revision. Municipal corporations—street railway regulations.	
Referred	639
Recommends amendment.....	920
191 By Committee on Code Revision. Liability for negligence and contracts of insurance relief, benefit or indemnity between railway corporations and their employees.	
Referred	552
Recommends passage.....	840
195 By Committee on Code Revision. Duty of employees in re steam and interurban crossings at grade.	
Referred to railroads.....	552
Referred to sifting committee.	
196 By Committee on Code Revision. Regulation of carriers and definition of terms.	
Referred	552
Committee recommends passage	840
202 By Committee on Code Revision. Relating to corporate shares of stock.	
Referred	639
Recommends passage.....	1278
204 By Committee on Code Revision. Relating to failure of consideration of written contracts.	
Referred	357
Recommends passage.....	409
Passed; ayes 39, nays 0.....	435
Signed by President.....	474
206 By Committee on Code Revision. Life insurance companies.	
Referred	389
Recommends amendment.....	635
Amendment filed.....	690
Amendments withdrawn.....	729
Amended	730
Passed; ayes 28, nays 1.....	730
Signed by President.....	
210 By Committee on Code Revision. Unfair discrimination.	
Referred	969
Recommends passage.....	1251
213 By Committee on Code Revision. Marriage and incest.	
Referred	969
Committee recommends passage	1253
224 By Committee on Code Revision. Judges and courts and rules for conciliation.	
Referred	458
Recommends amendment.....	592

H. F.	Page	H. F.	Page
Amended	681	263 By O'Donnell. Relating to standard widths of sleighs and sleds. (S. C. C. 3044-a2.)	
Amendment withdrawn.....	681	Referred	459
Passed; ayes 34, nays 1.....	682	Recommends passage.....	603
Senate insists	767	Amended	644
Appoints conference committee. 768		Passed; ayes 32, nays 4.....	644
Senate concurs in conference committee amendment.....	1637	Signed by President.....	705
Signed by President.....	1686		
226 By Committee on Code Re- vision. Parties in actions.		268 By Fackler. Relating to the primary road system. (C. C. 2943.)	
Referred	459	Referred to highways.....	578, 589
Recommends passage.....	636	Recalled	1097
Passed; ayes 40, nays 0.....	655	To sifting committee.....	
Signed by President.....	788	Recommends	1411
228 By Committee on Code Re- vision. Manner of commencing actions.		Amended, passed; ayes 43, nays 1	1537
Referred	379	Signed by President.....	1644
Recommends passage.....	756		
232 By Committee on Code Re- vision. Relating to instruc- tions.		269 By Fackler. Relating to the construction, improve- ment and maintenance of highways.	
Referred	458	Referred	335
Recommends passage.....	603	Recommends amendment.....	538
Passed; ayes 39, nays 0.....	626	Made special order.....	597
Signed by President.....	705	Amendments adopted.....	699
233 By Committee on Code Re- vision. Relating to court costs.		Amended, passed, ayes 48, nays 0	699
Referred to judiciary No. 2.....	355-357	Signed by President.....	853
Recommends passage.....	462		
Passed; ayes 26, nays 0.....	483	270 By Donhowe. Emergency appropriation for re-con- struction of armory at Ames.	
Signed by President.....	554	Referred	640
234 By Committee on Code Re- vision. Examination of debt- ors.		Recommends amendment.....	727
Referred	968	Amendment adopted.....	823
Recommends passage.....	1252	Amended	824
239 By Committee on Code Re- vision. Distribution of in- testate property.		Passed; ayes 33, nays 12.....	824
Referred	1397	Received back.....	878
244 By Committee on Code Re- vision. Paternity of illegiti- mate children.		Senate concurs.....	933
Referred	356	Signed by President.....	985
Recommends passage.....	462		
Passed; ayes 26, nays 0.....	484	271 By Bradley. Relating to bonds for park purposes. (C. C. 3675.)	
Signed by President.....	554	Referred to judiciary.....	270
248 By Committee on Code Re- vision. Relating to larceny.		Recommends passage.....	281
Referred	389	Passed; ayes 45, nays 0.....	282
Passed; ayes 36, nays 0.....	731	Signed by President.....	303
Signed by President.....	826		
252 By Committee on Code Re- vision. Appeals in criminal cases.		274 By Saunders. To legalize the Graettinger Tile Works of Graettinger, Iowa.	
Referred	369	Referred	294
Recommends passage.....	396	Recommends passage.....	348
Referred	408	Amended	360
Referred to sifting committee.		Passed; ayes 28, nays 0.....	361
256 By Committee on Code Re- vision. Appointment and bonds of guardians, and sale or mortgage of property of persons under guardianship, and of persons deceased.		Signed by President.....	402
Referred to sifting committee.....	1397		
		275 By Blake. To provide for the auditing of the financial conditions of school corpora- tions.	
		Referred	492
		Recommends passage.....	774
		Amended	852
		Failed to pass; ayes 10, nays 27.	953
		278 By Storey. Deferring the building of a temple of jus- tice.	
		Substituted for S. F. 276.....	429
		Passed; ayes 32, nays 0.....	433
		Signed by President.....	474

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279 By Rewoldt. Relating to the duties of the board of supervisors in the employment of a county engineer.
 Referred 597
 Recommends passage 605
 Passed; ayes 27, nays 19 678
 Signed by President 733

281 By Rewoldt. Relating to the basis of valuation of tubercular cattle.
 Referred to agriculture ... 744, 745
 Recommends passage 984
 Amended 1185
 Passed; ayes 36, nays 3 1185
 Signed by President 1258

284 By Mathews. Relating to schedules of rates and fares, and the powers and duties of the board of railroad commissioners. (C. C. 5179.)
 Referred 843
 Substituted for S. F. 296 981
 Passed; ayes 42, nays 1 981
 Signed by President 1066

285 By Mathews. Relating to the powers and duties of the board of railroad commissioners. (C. C. 5177, 5200, 5201.)
 Referred 843
 Amendment filed 947
 Substituted for S. F. 295 982
 Amended 982
 Passed; ayes 34, nays 9 1086
 Signed by President 1178

286 By Berry. To make county superintendents of schools elective at the polls.
 Referred 429
 Without recommendation 528
 Substitute offered 529, 532
 Action deferred 547
 Made special order 565
 Amended 582, 586
 Failed to pass; ayes 22, nays 26 588

287 By Patterson. Relating to elections to authorize the hard surfacing of primary roads. (C. C. 2914.)
 Referred 356
 Extension granted committee 860
 Recommends indefinite postponement 1246
 Report rejected 1246
 Referred to sifting committee.
 Committee recommends passage 1411

289 By Vincent. Relating to the drawing of jury lists. (C. C. 6992.)
 Referred 294
 Recommends passage 396
 Passed; ayes 40, nays 0 408
 Signed by President 447

290 By Oliver. Relating to drainage. (C. C. 4837.)
 Referred 794
 To sifting committee.

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291 By Oliver. Relating to drainage. (C. C. 4838.)
 Referred 926
 Indefinitely postponed 1097

292 By Donhowe. To legalize an election concerning bonds in the consolidated school district of Milford township Story county.
 Referred 801
 Recommends passage 1136
 Passed; ayes 26, nays 0 1230
 Signed by President 1333

294 By Knutson. To provide an additional judge for the twelfth judicial district. (C. C. 6937.)
 Referred 357
 Rereferred 381
 Substituted for S. F. 283 466
 Passed; ayes 35, nays 3 466
 Signed by President 497

295 By Blake. Relating to services for raising the flag at school houses. (C. C. 2628.)
 Referred 1079
 Recommends amendment 1214
 To sifting committee.
 On calendar 1475
 Passed; ayes 26, nays 0 1568
 Signed by President 1612

297 By Bradley. Repealing the inventory law of the 39th G. A.
 Referred 814
 Recommends passage 974
 Passed; ayes 27, nays 11 1152
 Signed by President 1207

298 By Lake. Relating to the manner of fixing the registration fee on motor vehicles. (S. C. C. 3053.)
 Referred to motor vehicles 1191
 Recommends passage 1229
 To sifting committee.
 Recommends passage 1411
 Passed; ayes 38, nays 0 1603
 Signed by President 1669

299 By Criswell. Requiring the state board of education to take bids for any construction or repair work at educational institutions where the amount involved exceeds \$10,000, but, if the board judges the bids to be not acceptable, the work may be done as the board may determine.
 Referred 631
 Recommends passage 1022
 Passed; ayes 36, nays 0 1308
 Signed by President 1349

300 By Bradley. Financial statement of school boards.
 Referred 404
 Recommends passage 837
 Passed; ayes 28, nays 0 962
 Signed by President 985

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304 By Criswell. Issuance of hunting licenses. (C. C. 1142, 1143, 1146, 1148.)		330 By Patterson. Relating to compensation of executors and administrators.	
Referred	800	Referred	745
Indefinitely postponed.....	1276	To sifting committee.	
306 By Oliver. An additional judge in fourth judicial district. (C. C. 6937.)		333 By Fackler. To legalize school building bonds of Nodaway, Adams county.	
Referred	325	Referred	459
Substituted for S. F. 315.....	465	Recommends passage.....	578
Passed; ayes 36, nays 4.....	466	Passed; ayes 36, nays 0.....	599
Signed by President.....	497	Signed by President.....	633
307 By Hauge. Reducing from 25 per cent to 12½ per cent amount of assessment against abutting and adjacent property for hard surfacing primary roads.		334 By Diltz. Relating to infringement of civil rights. (C. C. 8888, 8889.)	
Referred	985	Referred	563
To sifting committee.		Recommends passage.....	869
On calendar.....	1666	Passed; ayes 34, nays 0.....	1036
Amended, passed; ayes 31, nays 5.....	1672	Signed by President.....	1073
Signed by President.....	1700	335 By Diltz. Relating to the dissolution of corporations. (C. C. 5437.)	
311 By Hauge. Relating to exemption from jury service. (C. C. 6990.)		Referred	458
Referred	369	Recommends passage.....	756
Recommends amendment.....	446	Passed; ayes 39, nays 0.....	818
Amendment adopted.....	464	Signed by President.	
Failed to pass; ayes 13, nays 30, 479		340 By Doolittle. Appropriations to the several states for the promotion of the welfare and hygiene of maternity and infancy and for other purposes.	
Motion to reconsider adopted.		Referred	585
Amended	480	Substituted for S. F. 317.....	1115
Failed to pass; ayes 23, nays 9, 482		Passed; ayes 32, nays 11.....	1145
Motion to reconsider.....	487	Signed by President.....	1207
Motion to reconsider adopted.....	528	343 By Anderson of Webster. Punishment for crime of robbery. (C. C. 8671.)	
Passed; ayes 28, nays 13.....	528	Referred	369
Signed by President.....	633	Recommends passage.....	596
314 By Committee on Appropriations. To appropriate funds for expenses of bonus board.		Passed; ayes 38, nays 0.....	467
Received in Senate.....	287	Signed by President.....	447
Passed; ayes 42, nays 0.....	289	344 By Noble. Practice of podiatry. (C. C. 1321-a3.)	
Signed by President.....	303	Referred	563
315 By Patterson. To place all drainage or levy districts under management and control of trustees. (C. C. 4918.)		Indefinitely postponed.....	1017
Referred	640	350 By Children. Investment of funds of fraternity beneficiary societies. (C. C. 5583.)	
Recommends amendment.....	1277	Referred	379
To sifting committee.		Indefinitely postponed.....	993
327 By Elliott. Relating to tax levies in cities operating under special charter. (C. C. 4421.)		351 By Children. Investment by savings banks of their funds or capital, gains and profits in federal farm loan bonds. (C. C. 5776.)	
Referred	552	Referred to banks.....	552
Recommends passage.....	1081	Indefinitely postponed.....	817
Passed; ayes 37, nays 9.....	1148	352 By Storey. Training of teachers in private colleges for elementary teachers.	
Signed by President.....	1207	Received in Senate.....	1299
328 By Forsling. Relating to tax levies in cities under commission form of government. (C. C. 4261.)		Substituted for S. F. 330.....	1300
Referred	389	Passed; ayes 28, nays 19.....	1484
Recommends passage.....	410	Signed by President.....	1612
Passed; ayes 40, nays 9.....	431		
Signed by President.....	474		

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353 By Parsons. Surfacing of roads belonging to the secondary road system within cities and towns.		366 By Criswell. Requiring mine inspectors to post notices of conditions found in any mine where inspected in the performance of their duty.	
Referred	639	Referred	553
Recommends amendment.....	863	Recommends passage.....	1045
Amendment adopted.....	1031	Passed; ayes 40, nays 2.....	1303
Action deferred.....	1031	Signed by President.....	1319
Amendment adopted.....	1106		
Passed; ayes 27, nays 3.....	1107	368 By Parsons. Relating to school funding, refunding, and building bonds. (C. C. 2661.)	
Signed by President.....	1178	Referred	458
354 By Hauge. Education of deaf children. (C. C. 2630.)		Recommends passage.....	603
Referred	673	Passed; ayes 35, nays 0.....	625
Recommends passage.....	861	Signed by President.....	705
Passed; ayes 32, nays 0.....	1013		
Signed by President.....	1073	369 By Rewoldt. To legalize an election in the town of Denver.	
355 By Hauge. Appropriation for certain independent school districts that maintain day schools for deaf children.		Referred	674
Received	799	Recommends passage.....	834
Substituted for S. F. 333.....	800	Passed; ayes 34, nays 0.....	905
Passed; ayes 31, nays 0.....	897	Signed by President.....	985
Signed by President.....	933		
356 By Blake. Increasing the number of district judges in the thirteenth judicial district.		372 By Lake. Support funds for institutions under board of control.	
Referred to congressional districts	935	Referred	674
Recommends passage.....	1023	Referred to appropriations.....	707
Passed; ayes 36, nays 7.....	1235	Recommends passage.....	965
Signed by President.....	1349	Passed; ayes 27, nays 0.....	1057
		Signed by President.....	1131
357 By Saunders. Fees of sheriff for collecting and paying over money.			
Referred	638	375 By Lake. Commitments to the Training School for Girls. (C. C. 2103.)	
Recommends amendment.....	684	Referred	563
Amendments adopted.....	704	Recommends passage.....	867
Amended, passed; ayes 41, nays 0.....	711	Amended	1037
Vote to reconsider.....	721	Passed; ayes 32, nays 1.....	1038
Amended	721	Signed by President.....	1131
Passed; ayes 44, nays 0.....	722		
Signed by President.....	826	378 By Sampson. High school tuition of non-resident pupils in approved schools. (C. C. 2578.)	
359 By Children. Conferring certain powers on peace officers, extradition agents and officers of penal institutions from other states.		Referred to schools.....	926
Referred	552	Indefinitely postponed.....	1242
Recommends passage.....	636		
Passed; ayes 38, nays 0.....	654	379 By Forsling. Election of officials under the commission form of government.	
Signed by President.....	733	Referred	553
360 By Children. Mutual insurance associations.		Recommends amendment.....	965
Referred	459	Amendments adopted.....	1062
Indefinitely postponed.....	709	Passed; ayes 31, nays 0.....	1063
Senate requests House to return House returns.....	726	Signed by President.....	1131
Motion to reconsider.....	790		
Motion to reconsider prevailed.	727	380 By Forsling. School building bonds. (C. C. 2660.)	
Rereferred	754	Referred	553
Recommends indefinite postponement	837	Recommends passage.....	686
Made special order.....	860	Passed; ayes 38, nays 0.....	712
Passed; ayes 43, nays 2.....	978	Signed by President.....	826
Signed by President.....	1066		
363 By Carter. Granting additional powers to cities and municipalities and to the board of health in regard to the removal of outside water-closets.		382 By Scott of Fremont. Taxing, licensing and controlling dogs.	
		Referred	1191
		Recommends passage.....	1253
		To sifting committee.	
		On calendar.....	1574
		Passed; ayes 23, nays 5.....	1683
		Signed by President.....	1700

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383 By Scott of Fremont. Noxious weeds. (C. C. 3002.)		406 By Children. To legalize school building bonds of Treynor.	
Referred	459	Referred	629
Indefinitely postponed.....	688	Recommends passage.....	757
388 By Diltz. Appropriation for John S. Young for loss and damage.		Passed; ayes 38, nays 0.....	779
Referred	1561	Signed by President.....	853
Passed; ayes 40, nays 0.....	1557		
Signed by President.....	1586	408 By Lovrien. Creation of a lien for advancements made by junior lien holders.	
390 By Venard. Destruction of noxious weeds.		Referred	639
Referred	927	Recommends passage.....	868
Indefinitely postponed.....	975	Amended	1032
391 By Hauge. Prohibiting nepotism within the state.		Passed; ayes 37, nays 0.....	1033
Referred	844	Signed by President.....	1131
Amendment filed.....	1066		
Recommends passage.....	1090	409 By Lovrien. To provide for notice of maturity of mortgage.	
Amended, passed; ayes 28, nays 8.....	1351	Referred to sifting committee.....	1349
Signed by President.....	1450	Amended, failed to pass; ayes 18, nays 22.....	1600
399 By Ramsey. To legalize \$105,000.00 school building bonds dated May 1, 1920, of the Independent School District of Greene, Iowa.		Motion to reconsider.....	1610
Referred	717		
Recommends passage.....	868	412 By O'Donnell. Fees of justices of the peace and constables. (S. C. C. 6837.)	
Passed; ayes 32, nays 0.....	1035	Referred	589
Signed by President.....	1073	Indefinitely postponed.....	833
400 By Parsons and Anderson of Webster. Authorizing board of supervisors to use a part of primary road fund for improving secondary roads. (C. C. 2947.)			
Referred	553	413 By Carter. Period of minority of both sexes. (C. C. 6637.)	
Recommends amendment.....	1109	Referred	674
Amendment adopted.....	1377	Recommends amendment.....	992
Passed; ayes 30, nays 11.....	1378	Amendment adopted.....	1288
Signed by President.....	1450	Passed; ayes 39, nays 1.....	1288
401 By Wamstad. Establishment of levee or drainage districts.		Signed by President.....	1410
Referred	745		
To sifting committee.....		419 By Lake. Fees of justices of the peace and constables. (C. C. 6837.)	
Recommends passage.....	1325	Referred	800
402 By Yenter. To prohibit the wearing of masks, hoods, robes, and other paraphernalia, the declaring, imposing, or administering of penalties.		Indefinitely postponed.....	919
Referred	1059		
Recommends passage.....	1251	421 By Graham. Conditions under which certain school corporations may charge tuition. (C. C. 2639.)	
Passed; ayes 42, nays 2.....	1302	Referred	844
Signed by President.....	1349	Recommends amendment.....	1023
404 By Potts. Relating to jurors. (C. C. 6991.)		Amendments adopted.....	1305
Referred to judiciary No. 1.....	1019	Amended, passed; ayes, 36 nays 5.....	1306
Committee recommends passage	1250	Signed by President.....	1410
To sifting committee.....			
405 By Criswell. Levy of an assessment for the support of the poor. (C. C. 3300.)		423 By Knutson. Ownership and title of wild game, animals, birds, and fish. (C. C. 1137.)	
Referred	639	Referred	1212
Recommends passage.....	1015		
Passed; ayes 33, nays 11.....	1373	424 By Children. Financial aid to widowed mothers of dependent or neglected children. (S. C. C. 2104.)	
Signed by President.....	1450	Referred	794
		Recommends amendment.....	973
		Amendments adopted.....	1162
		Amended	1168
		Failed to pass; ayes 25, nays 13	1163
		Motion to reconsider prevailed	1226
		Passed; ayes 28, nays 5.....	1226
		Signed by President.....	1349

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425 By Elliott. Powers of state board of health to regulate the disinterment of bodies of human beings.	
Referred	745
Recommends amendment.....	1016
Amendments adopted.....	1166
Amended, passed; ayes 38, nays 0.....	1167
Signed by President.....	1258
426 By Diltz. Organization, regulation, taxation, and operation of mutual insurance companies.	
Referred	673
Recommends passage.....	983
Passed; ayes 41, nays 0.....	1184
Signed by President.....	1258
427 By Ontjes. Counties to give preference to certain roads in establishing the primary road system.	
Referred	639
Recommends passage.....	863
Amended, passed; ayes 40, nays 0.....	1312
Signed by President.....	1410
428 By Blake. Regulation of employment offices and bureaus. (C. C. 894, 898.)	
Referred	675
Recommends passage.....	1121
To sifting committee.	
429 By Elliott. Increase in annual appropriation for state bacteriological laboratory at Iowa City. (S. C. C. 2354.)	
Referred	1192
431 By Wamstad. Proceedings to establish levees, ditches, and drainage districts. (C. C. 4837.)	
Referred	589
Recommends amendment.....	775
Amendments adopted.....	881
Passed; ayes 33, nays 0.....	881
Signed by President.....	933
433 By Forsling. Restricted residence districts in cities.	
Referred	878
Recommends passage.....	1248
To sifting committee.	
On calendar.....	1574
434 By McClune. Special assessments in cities and towns.	
Referred	772
Recommends amendment.....	1135
To sifting committee.	
On calendar.....	1636
437 By Blake. Construction, improvement, and maintenance of highways within towns on the primary road system. (C. C. 2943.)	
Referred	1079
To sifting committee.	
Recommends passage.....	1335
Passed; ayes 31, nays 7.....	1686
Signed by President.....	1700

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438 By Diltz. Breaking jail and punishment therefor. C. C. 9008.)	
Referred	772
Recommends passage.....	868
Passed; ayes 34, nays 0.....	1032
Signed by President.....	1073
440 By Himebauch. Division and apportionment of special assessments on tax list by county auditor. (C. C. 4061, 4825.)	
Referred	744
Recommends passage.....	1016
Passed; ayes 33, nays 1.....	1203
Signed by President.....	1258
442 By Story. Soldiers' relief commission. (C. C. 3343.)	
Referred	1192
Recommends passage.....	1262
To sifting committee.	
443 By Yenter. Compensation for Lieut. Col. E. E. Lambert for services rendered to Iowa National Guard.	
Referred	1194
Recommends passage.....	1271
Referred to appropriations.....	1271
450 By Committee on Judiciary. Powers and duties of boundary commission.	
Referred	458
Substituted for S. F. 442.....	505
Amended and passed; ayes 41, nays 0.....	505
Signed by President.....	554
457 By Anderson. To legalize school building bonds of Moorland, Iowa.	
Referred	675
Recommends passage.....	833
Passed; ayes 33, nays 0.....	906
Vote to reconsider.....	907
Amended	907
Passed; ayes 33, nays 0.....	908
Signed by President.....	985
460 By Vincent. Removal of public officers—appointive officers. (C. C. 649.)	
Referred	968
Substituted for S. F. 432.....	1033
Amended	1033
Passed; ayes 33, nays 0.....	1034
Signed by President.....	1131
465 By Elliott. Voting by women. (C. C. 451.)	
Referred	553
Recommends passage.....	578
Passed; ayes 42, nays 0.....	598
Signed by President.....	633
468 By Criswell. Notice of appointment of executors and administrators. (C. C. 7826.)	
Referred	968
Recommends passage.....	1090
Passed; ayes 35, nays 0.....	1352
Signed by President.....	1411

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469 By Potts. Levees, drains and water courses. (C. C. 4817.)		496 By Potts. Penitentiaries and men's reformatories. (C. C. 2189.)	
Referred	1191	Referred	1019
Substituted for S. F. 457.....	1230	Recommends passage.....	1267
Passed; ayes 27, nays 0.....	1231	To sitting committee.	
Senate requests House to re- turn	1286	Recommends passage.....	1411
Senate reconsiders.....	1427	Amended, passed; ayes 39, nays 1.....	1592
Amended, passed; ayes 46, nays 0.....	1427	Signed by President.....	1666
Signed by President.....	1492		
476 By Olson. Election regis- tration lists. (C. C. 414.)		498 By Children. Appropria- tion to enable the board of railroad commissioners to continue the investigation of the valuation of the property of common carriers.	
Referred	800	Received in Senate.....	1022
Recommends passage.....	964	Substituted for S. F. 454.....	1044
Passed; ayes 31, nays 3.....	1129	On calendar.....	1044
Signed by President.....	1207	Passed; ayes 32, nays 1.....	1105
477 By Forsling. Election in cities and towns. (C. C. 3511.)		Signed by President.....	1178
Referred to elections.....	673		
Recommends passage.....	785	501 By Rankin. Tax for the general fund of cities and towns. (C. C. 4030.)	
Passed; ayes 31, nays 0.....	950	Referred	1211
Signed by President.....	985	Recommends passage.....	1265
		To sitting committee.	
479 By Committee on Public Health. Public health.		Recommends passage.....	1411
Referred	878	Passed; ayes 26, nays 8.....	1603
Substituted for S. F. 441.....	980	Signed by President.....	1669
Passed; ayes 37, nays 1.....	980		
Signed by President.....	1066	502 By Rewoldt. Furnishing of information by the superin- tendent of public instruction relative to regulating teach- ing and vacancies in teach- er's positions. (C. C. 2268.)	
480 By Rankin. To legalize the publication of certain no- tices of incorporation. (C. C. 3524.)		Referred	1238
Referred	771	Indefinitely postponed.....	1274
Recommends passage.....	1090		
Passed; ayes 34, nays 0.....	1350	510 By Himebauch. Appropria- tion for the purpose of pay- ing drainage assessments against state owned land at East Swan lake.	
Signed by President.....	1411	Referred	1189
489 By Binchart. Authorizing the issuance of a patent to certain lands in Dallas coun- ty.		Recommends passage.....	1281
Referred	674	Passed; ayes 36, nays 0.....	1406
Recommends passage.....	835	Signed by President.....	1450
Passed; ayes 31, nays 0.....	1012		
Signed by President.....	1073	513 By McClune. Appropria- tion for John C. Bradbury for services rendered as captain of Troop T.	
492 By Committee on Military Affairs. Appropriation for completion of roster of Iowa world war soldiers, sailors and marines.		Referred to claims.....	1190
Referred	1094	Recommends passage.....	1272
Indefinitely postponed.....	1213	Referred	1272
493 By McClune. Manufacture, distribution and use of hog cholera virus and anti-hog cholera serum. (S. C. C. 1783-a11, 1783-a12, 1783-a15, 1783-a16, 1783-a17, 1783-a18, 1783-a25.)			
Referred	1060	514 By Clark. Insurance other than life. (S. C. C. 5496.)	
Recommends amendment.....	1156	Referred	1609
Amendment filed.....	1258	Substituted for S. F. 638.....	1619
To sitting committee.		Passed; ayes 31, nays 0.....	1619
On calendar.....	1574	Signed by President.....	1666
Amended, passed; ayes 33, nays 2.....	1668		
Signed by President.....	1695	515 By Clark. Taxation of jury fees as part of the costs. (S. C. C. 7633.)	
		Referred to judiciary No. 1....	1211
		To sitting committee.	
		516 By Noble. Road districts in cities under special char- ter. (C. C. 4385.)	
		Referred	800
		Recommends passage.....	919

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Passed; ayes 33, nays 0.....	1042
Signed by President.....	1073
518 By Children. Number of petit jurors to be drawn by jury commission. (S. C. C. 7020.)	
Referred	966
Recommends passage.....	1251
To sifting committee.	
520 By Diltz. Compensation of the board of dental examiners. (C. C. 1383.)	
Referred	1095
To sifting committee.	
Recommends passage.....	1335
Passed; ayes 33, nays 0.....	1623
Signed by President.....	1669
521 By Diltz. Appropriation to indemnify Dr. C. B. Miller, secretary-treasurer of the state board of dental examiners.	
Referred	1190
Recommends passage.....	1272
Referred to appropriations.....	1272
522 By Wilson. Removal of billboards and signs which obstruct the view of the highways.	
Referred	801
Recommends passage.....	1244
To sifting committee.	
Recommends passage.....	1411
Passed; ayes 36, nays 0.....	1605
Signed by President.....	1666
525 By Children. Requisitions by the state auditor upon persons and officers for in- formation or statements or accounts. (C. C. 125.)	
Referred	1238
To sifting committee.	
Recommends passage.....	1335
529 By Scott of Fremont. Board of educational examiners. (C. C. 2299, 2300.)	
Referred	1284
To sifting committee.....	1335
Recommends passage.....	1346
530 By Potts. To legalize the incorporation of the B. & K. Coal Company of Burlington.	
Referred	674
Recommends passage.....	743
Passed; ayes 38, nays 0.....	778
Signed by President.....	853
531 By Knutson. Time of meet- ing of the township trust- tees. (C. C. 3440.)	
Referred	771
Indefinitely postponed.....	919
533 By McClune. Paving ex- tension of primary roads within cities.	
Referred	1080
Recommends passage.....	1335
Passed; ayes 31, nays 3.....	1689, 1690
Signed by President.....	1700

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537 By Committee on Suppres- sion of Intemperance. Infor- mation as to search warrants, providing for the seizure of intoxicating liquors and the seizure of instruments and material used. (C. C. 975, 974, 976, 977.)	
Referred	718
Recommends passage.....	984
Failed to pass; ayes 23; nays 13.....	1172
Motion to reconsider.....	1175
Motion to reconsider prevailed.....	1224
Passed; ayes 34, nays 7.....	1224
Signed by President.....	1333
538 By O'Donnell. Changes in form of government by cities and towns. (C. C. 4298.)	
Referred	674
Indefinitely postponed.....	786
543 By Gilbert. Transfer of funds in cities and towns. (C. C. 4038.)	
Referred	1192
Recommends passage.....	1255
To sifting committee.	
548 By Bassler. Collection of special assessments in drain- age districts. (C. C. 4874.)	
Referred	927
Recommends amendment.....	1157
To sifting committee.	
On calendar.....	1475
Passed; ayes 31, nays 0.....	1533
Signed by President.....	1612
550 By Storey. Board of edu- cational examiners. (S. C. C. 2295.)	
Referred	966
Indefinitely postponed.....	1069
557 By Lake. Listing and tax- ation of property. (C. C. 4496, 4499.)	
Referred	926
Recommends amendment.....	1277
Substituted for S. F. 537.....	1286
Referred to sifting committee.	
Recommends passage.....	1411
Amendments adopted.....	1604
Passed; ayes 40, nays 2.....	1695
Signed by President.....	1669
559 By Patterson. Regulating the sale of live stock rem- edies.	
Referred	1364
On calendar.....	1689
Referred to sifting committee.....	1670
560 By Hauge. Relating to the insurance department. (C. C. 3460.)	
Referred	1192
Recommends passage.....	1252
To sifting committee.	
On calendar.....	1516
Passed; ayes 35, nays 0.....	1634
Signed by President.....	1686

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561 By Hauge. Awards in compensation cases made exempt from garnishment and execution. (C. C. 840.)	
Referred	1211
To sifting committee.	
Recommends passage	1335
Passed; ayes 30, nays 0	1624
Signed by President	1669
563 By Rankin. Relating to life insurance. (C. C. 5488.)	
Referred to insurance	1193
Recommend amendment	1273
Amendment adopted	1370
Amended	1372
Failed to pass; ayes 24, nays 20	1372
Motion to reconsider	1393
565 By Yenter. Operation of pool and billiard rooms. (C. C. 3136, 8827, 3605.)	
Referred	1193
To sifting committee.	
568 By Gallagher. Creating city and county boards of public welfare for the supervision and regulation of theatres, public dance halls, roadhouses and other places of public amusement.	
Referred	1300
571 By Clark. Appropriation to reimburse Mercy Hospital of Cedar Rapids. Drs. Murphy, Neuzil and Victorine, W. H. Cleary and C. A. Sults for services rendered.	
Referred	1094
573 By Donhowe. Authorizing the purchase of real estate in the city of Ames where excess war equipment is stored.	
Referred	1194
Recommends passage	1244
Referred to sifting committee.	
Recommends passage	1411
Passed; ayes 29, nays 17	1646
Signed by President	1686
574 By McClune. Delinquent motor vehicle fees and defacement of license plates. (C. C. 3059, 3063.)	
Referred	1019
Recommends passage	1229
To sifting committee.	
On calendar	1516
Passed; ayes 34, nays 1	1690
Signed by President	1700
575 By Gilbert. Petitions in commission governed cities. (C. C. 4216, 4236, 4238, 4239, 4240.)	
Referred	1212
Recommends passage	1265
To sifting committee.	
576 By Ontjes. Making it unlawful for officers of counties, cities, townships and school corporations to sell	

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bonds for less than par or to pay commission for sale of same.	
Referred	878
Recommends amendment	1069
Amendments adopted	1340
Passed; ayes 41, nays 0	1340
Signed by President	1450
578 By Clark. Authorizing the issuance of a patent to certain lands in Jones county, Iowa, to S. G. Matson.	
Referred	967
Recalled	1286
To sifting committee.	
On calendar	1475
Passed; ayes 33, nays 0	1634
Signed by President	1669
582 By Miller. To provide for the issuance of city hall bonds in certain cities and to authorize a tax levy to pay said bonds and interest thereon.	
Referred	1079
Recommends passage	1248
Passed; ayes 37, nays 0	1399
Signed by President	1450
583 By Slemmons. To legalize ordinances and amendment to ordinances of the city of Independence, Iowa.	
Referred	968
Recommends passage	1250
To sifting committee.	
Recommends passage	1426
Passed; ayes 29, nays 0	1564
Signed by President	1612
584 By Edson. Drawing of grand jurors. (C. C. 9306-7.)	
Referred	969
Recommends passage	1118
Passed; ayes 37, nays 0	1355
Signed by President	1411
594 Anderson of Webster. Power of the board of parole to grant paroles. (C. C. 2247.)	
Referred	879
Recommends indefinite postponement	1278
Report rejected	1278
To sifting committee.	
595 By Ontjes. To legalize the notice of incorporation of the Grundy Construction Company.	
Referred	1095
Recommends passage	1250
To sifting committee.	
On calendar	1516
Passed; ayes 42, nays 0	1591
Signed by President	1644
599 By McClune. Sale of anti-hog cholera serum and virus and biological products.	
Referred	1212
Recommends passage	1273
To sifting committee.	
On calendar	1574
Passed; ayes 30, nays 11	1692
Signed by President	1700

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600 By Robson. Relating to consolidated schools.	
Referred	1059
Indefinitely postponed.....	1194
601 By Parsons. Improvement and assessment of roads comprising the primary and secondary road systems.	
Referred	1079
To sifting committee.	
604 By Special Election Contest Committee. Appropriation for expenses incurred in the election contest of Rumley vs. Springer.	
Referred	1381
Recommends passage.....	1414
Passed; ayes 37, nays 0.....	1547
Signed by President.....	1644
605 By Matthiesen. Municipal court fees. (C. C. 6868.)	
Referred	1523
607 By Robson. Commercial feeding stuffs. (C. C. 1514.)	
Referred	1059
Recommends passage.....	1119
Amendment filed.....	1286
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To sifting committee.	
On calendar.....	1636
609 By Potts. Appropriation to reimburse Lee county on prison breach cases.	
Referred	1523
On calendar.....	1636
Passed; ayes 45, nays 0.....	1681
Signed by President.....	1695
614 By Blake. Compensation of inspectors under the board of control.	
Referred	1059
Recommends passage.....	1109
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615 By Lake. Protection of firemen, engineers and employees of steam railroads by providing for automatic doors to the fire boxes of locomotive engines.	
Referred	1126
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Report rejected.....	1259
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To sifting committee.	
622 By Johnson. Powers and duties of trustees to levy and expend taxes for road and drainage purposes. (C. C. 2970.)	
Referred	1059
To sifting committee.	
626 By Children. Salary and powers of judges of superior courts. (C. C. 6907, 6910.)	
Referred	1300
Recommends passage.....	1346

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Amended, passed; ayes 52, nays 6	1369
Signed by President.....	1450
629 By Garber. Pollution of waters of any stream, waterway or lake.	
Referred	1095
Substituted for S. F. 543.....	1259
Amended, passed; ayes 35, nays 3	1316
Senate recesses	1392
Amended, passed; ayes 41, nays 0	1429
Senate concurs.....	1482
Signed by President.....	1612
630 By Held. Absence of acknowledgments or defective acknowledgments. (C. C. 6551.)	
Referred	1212
To sifting committee.	
Recommends passage.....	1335
Passed; ayes 27, nays 0.....	1567
Signed by President.....	1612
634 By Lovrien. Construction, improvement and maintenance of highways. (C. C. 2922.)	
Referred	1254
To sifting committee.	
Recommends passage.....	1335
Passed; ayes 31, nays 0.....	1625
Signed by President.....	1686
636 By Diltz. To legalize proceedings in relation to drainage district No. 28, Polk county.	
Referred	968
To sifting committee.	
Recommends passage.	
Passed; ayes 31, nays 0.....	1562
Signed by President.....	1612
637 By Diltz. To legalize proceedings in relation to drainage district No. 26, Polk county.	
Referred	1078
Recommends passage.....	1135
To sifting committee.	
Recommends passage.	
Passed; ayes 39 nays 0.....	1399
Signed by President.....	1450
638 By Diltz. To legalize proceedings in relation to drainage district No. 29, Polk county.	
Referred	1079
Recommends passage.....	1252
To sifting committee.	
Committee recommends passage.	
Passed; ayes 34, nays 0.....	1400
Signed by President.....	1450
639 By Diltz. To legalize proceedings in relation to drainage district No. 30, Polk county.	
Referred	968
Recommends passage.....	1118
Passed; ayes 38, nays 0.....	1254
Signed by President.....	1411

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640 By Haugre. Insurance other than life. (C. C. 5662.)		Passed; ayes 44, nays 0.....	1301
Referred.....	1349	Signed by President.....	1410
Recommends passage.....		670 By Rewoldt. To legalize certification by county audi- tor, Bremer county, of an- nual levy for school pur- poses.	
Amended, passed, ayes 27, nays 6.....	1602	Referred.....	967
Signed by President.....	1609	Recommends passage.....	1117
641 By Elliott. Licensing of chiropractors and regulating practice of chiropractic.		Passed; ayes 38, nays 0.....	1355
Referred.....	1211	Signed by President.....	1411
Recommends passage.....	1262	671 By Haugre and Biltz. Waterworks in cities hav- ing a population of one hun- dred thousand or over.	
To sitting committee.....		Substituted for S. F. 583.....	1254
On calendar.....	1475	Passed; ayes 45, nays 0.....	1256
Amended, passed; ayes 32, nays 1.....	1621	Signed by President.....	1349
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642 By Carter. Lien on motor vehicles, repair parts and ac- cessories.		Referred.....	967
Referred.....	1573	Recommends passage.....	991
645 By Knutson. Enlarging powers of the fish and game warden. (C. C. 1114.)		Passed; ayes 35, nays 0.....	1170
Referred.....	1695	Signed by President.....	1227
Recommends passage.....	1249	674 By Himebauch. Legalizing an ordinance of Belliver.	
Amended, ayes 31, nays 1.....	1365	Referred.....	967
Signed by President.....	1411	Recommends passage.....	991
646 By Smith. Legalizing cer- taria warrants issued by Lucas county.		Passed; ayes 35, nays 0.....	1169
Referred.....	844	Signed by President.....	1227
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Amended, ayes 29, nays 0.....	904	Referred.....	967
Signed by President.....	985	Recommends passage.....	991
647 By Salmern. Priority of claims in receivership pro- ceedings. (C. C. 8496.)		Passed; ayes 33, nays 0.....	1171
Referred.....	1522	Signed by President.....	1227
648 By Rossler. Exemption of taxation of soldiers, sailors and marines. (S. C. C. 4482.)		676 By Himebauch. Legalizing an ordinance of Ringsted.	
Referred.....	1560	Referred.....	967
On calendar.....	1636	Recommends passage.....	992
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652 By Blake. Payment of dues in the League of Iowa Municipalities. (C. C. 3663.)		677 By Healy. Levying of a school house tax by inde- pendent school districts.	
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656 By Carter. Conferring powers and duties upon township trustees.		Amended.....	1183
Referred.....	1575	Passed; ayes 37, nays 1.....	1183
On calendar.....	1636	Signed by President.....	1258
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Voted to reconsider.....	1684	Referred.....	1284
Amended, passed; ayes 28, nays 17.....	1698	To sitting committee.....	
Signed by President.....	1768	Recommends passage.....	1335
658 By Edison. Storage of grain under state supervision and issuance of storage certifi- cates therefor.		Passed; ayes 39, nays 0.....	1626
Substituted for S. F. 598.....	1124	Signed by President.....	1669

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To sifting committee.	
On calendar.	1475
Passed; ayes 32, nays 0.	1622
Signed by President.	1666
681 By Strippel. To require the labelling of mattresses and comforts, to prohibit the use of infectious, insanitary, unhealthful, or second-hand material in their manufacture.	
Referred	970
Recommends passage.	1136
To sifting committee.	
Recommends passage.	
Amended, passed; ayes 38, nays 0	1532
Signed by President.	1612
682 By Garber of Adair. Assessment life associations, change and interest of beneficiaries under assessment policies. (C. C. 5512, 5513, 5523.)	
Referred	1190
Substituted for S. F. 641.	1195
Passed; ayes 36, nays 0.	1234
Signed by President.	1349
687 By Committee on Banks and Banking. Surplus fund of banks and trust companies acting in fiduciary capacity. (C. C. 5777, 5831.)	
Referred	843
Recommends passage.	1047
Substituted for S. F. 622.	1048
Passed; ayes 34, nays 2.	1049
Signed by President.	1131
690 By Colbert. Transportation of pupils in school districts. (C. C. 2639.)	
Referred	1191
Recommends passage.	1275
To sifting committee.	
On calendar.	1574
Passed; ayes 28, nays 1.	1678
Signed by President.	1695
695 By Children. Condemnation of land for school purposes. (C. C. 2642.)	
Referred	1211
Recommends passage.	1242
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Recommends passage.	1411
Passed; ayes 27, nays 1.	1607
Signed by President.	1666
696 By Scott of Appanoose. Issuance of itinerant restaurant licenses by the state hotel inspector.	
Referred	1516
697 By Slemmons. Allowance paid by the state fire marshal for reporting fires. (C. C. 1052.)	
Referred	1516
On calendar.	1636
Passed; ayes 26, nays 15.	1693
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702 By Hansen. Payment in full of drainage district special assessments for which drainage certificates have been issued. (C. C. 4874.)	
Referred to drainage.	1211
Referred to sifting committee.	
705 By Powers. Legalizing the filing of nomination papers of candidates for city and town offices.	
Received	798
Passed; ayes 33, nays 0.	804
Signed by President.	826
706 By Clark. Admission to the practice of law in this state of attorneys who are admitted in other states. (C. C. 7037.)	
Referred	1191
Recommends passage.	1251
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711 By Committee on Pharmacy. Examination and registration of pharmacists. (C. C. 1420.)	
Referred	966
Recommends passage.	1016
Passed; ayes 39, nays 0.	1204
Signed by President.	1258
712 By Children. Insurance other than life. (S. C. C. 5628.)	
Referred	1574
717 By Potts. Expenditures for construction of buildings and bridges by a county. (C. C. 3422.)	
Referred	1482
On calendar.	1574
Passed; ayes 31, nays 0.	1628
Signed by President.	1669
718 By Oliver. Submission to a vote of the people of propositions for the expenditure of public moneys.	
Referred	1515
721 By Brady. Investment of funds of life insurance companies and associations. (C. C. 5532.)	
Referred	1609
726 By Venard. Duties of township clerks and the deposit of public funds collected by them. (C. C. 3450.)	
Referred	1237
Recommends passage.	1264
To sifting committee.	
728 By Peterson. Annual reports of cooperative associations. (S. C. C. 5498-5495.)	
Referred	1482
On calendar.	1669
Referred	1697
On calendar.	1675
Passed; ayes 44, nays 0.	1681
Signed by President.	1695

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729 By Harrison. Legalizing an election in the consolidated independent school district of Carson.		747 By Diltz. Regulation and supervision of stocks, bonds, securities, and investment companies. (C. C. 5417.)	
Referred	1078	Referred	1349
Recommends passage	1250	Passed; ayes 31, nays 1	1601
To sifting committee.		Signed by President	1666
Recommends passage.			
Passed; ayes 37, nays 0	1401	748 By Healy. Authorizing the executive council to exchange certain lands for other lands located in Hancock county.	
Signed by President	1450	Received in Senate	1348
732 By Committee on Animal Industry. Establishment of additional methods for the eradication of bovine tuberculosis and to promote the health and welfare of the citizens of the state.		On calendar	1349
Referred to agriculture	1044	Substituted for S. F. 649	1354
Recommends passage	1272	Passed; ayes 39, nays 0	1354
Passed; ayes 27, nays 16	1290	Signed by President	1411
Signed by President	1349		
734 By Mathews. Oiling of streets and alleys and taxing the cost to property benefited. (C. C. 3923.)		757 By Hempel. Providing for observance of March 21 as Bird Day.	
Referred	1284	Referred	1516
Substituted for S. F. 646	1352	On calendar	1574
Failed to pass; ayes 13, nays 16	1353	Passed; ayes 27, nays 10	1688
736 By Buffington. Valuation of property for purposes of taxation. (C. C. 4584.)		Signed by President	1700
Referred	1522	761 By Gilbert. Distribution of supreme court reports.	
738 By Colbert. To legalize elections by the town of Kent.		Referred	1238
Referred	1212	To sifting committee.	
To sifting committee.		Recommends passage	1335
Recommends passage	1335	Passed; ayes 27, nays 0	1629
Passed; ayes 31, nays 0	1398	Signed by President	1669
Signed by President	1450	762 By Forsling. Providing for the number of municipal judges. (C. C. 6845.)	
739 By Smith of Chickasaw. To legalize an election held on the 25th of March, 1920, in school district of Lawler, regarding school bonds.		Referred	1238
Referred	1190	To sifting committee.	
Recommends passage	1250	765 By Letts. Expenditure of moneys for cemetery purposes.	
Passed; ayes 33, nays 0	1357	Referred	1574
Signed by President	1411	On calendar	1669
742 By Diltz. Relating to water along the highways of the state.		Rereferred	1670
Referred	1284	On calendar	1675
To sifting committee.		Passed; ayes 40, nays 1	1682
Recommends passage	1335	Signed by President	1695
Amended, passed; ayes 31, nays 0	1627	767 By Doolittle. Assessment and collection of inheritance tax.	
Signed by President	1636	Referred	1421
742 By Committee on Appropriations. Annual appropriation to enable the state railroad commission to investigate and prosecute state cases.		On calendar	1669
Referred	1094	Rereferred	1670
Recommends passage	1282	769 By Hanson. To legalize certain ordinances of Davenport regarding corporate bonds.	
Passed; ayes 41, nays 0	1417	Referred	1078
Signed by President	1492	Recommends passage	1249
		To sifting committee.	
		On calendar	1475
		Passed; ayes 37, nays 0	1531
		Signed by President	1612
		775 By Garber of Adair. Relating to computing time. (C. C. 55.)	
		Referred	1515
		778 By Clark. Sales of merchandise in bulk. (C. C. 6333.)	
		Referred	1574
		On calendar	1669
		Rereferred	1670

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785 By Lovrien. To provide signals at railroad intersections with streets and highways.	
Referred	1515
789 By Committee on Appropriations. Appropriation for expenses of the oil department. (S. C. C. 903.)	
Referred	1193
Recommends passage	1282
Passed; ayes 34, nays 1	1407
Signed by President	1450
790 By Committee on Appropriations. To promote thrift and savings, to provide for loans and a general banking business on the cooperative plan.	
Referred	1428
791 By Committee on Appropriations. Annual appropriation for state parks. (C. C. 1186.)	
Referred	1192
Recommends	1281
Amendment adopted	1554
Passed; ayes 34, nays 5	1555
Signed by President	1644
797 By Committee on Suppression of Intemperance. Property offered as a stake or deposited in connection with any game of chance, lottery, gambling scheme or device unlawful under the laws of this state.	
Referred	1237
Substituted for S. F. 721	1417
Passed; ayes 36, nays 8	1417
Signed by President	1492
798 By Committee on Conservation of Resources. Authorizing the state board of conservation to sell and dispose of natural resources such as timber, sand, or gravel located on or under state lands and waters.	
Referred	1381
799 By Committee on Conservation of Resources. Authorizing the executive council to exchange certain lands belonging to the state for other lands located in Delaware county.	
Referred	1238
Recommends passage	1262
To sifting committee.	
800 By Committee on Appropriations. Expenses of state fire marshal.	
Placed on calendar	1630
Passed; ayes 33, nays 0	1665
Signed by President	1686
801 By Committee on Municipal Corporations. Maintenance of highways within towns on the primary road system. (C. C. 2943.)	
Referred	1574

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803 By Committee on Public Health. Regulating construction of passenger elevators. Placed on calendar	1349
Substituted for S. F. 716	1357
Passed; ayes 32, nays 0	1357
Signed by President	1411
806 By Committee on Judiciary. Authorizing fraternal beneficiary societies to create and maintain for the benefit of the sick or disabled members and their families, hospitals, asylums, schools and homes.	
Received	1334
Recommends passage	1379
Passed; ayes 41, nays 0	1530
Signed by President	1612
807 By Committee on Judiciary. To legalize the proceedings of the mayors, town councils, town treasurers and assessors of the incorporated town of McCallsburg, elected in 1911, 1913, 1915, 1917, 1919, 1921.	
Placed on calendar	1516
Passed; ayes 25, nays 0	1590
Signed by President	1644
808 By Committee on Claims. Regulating the filing of claims, not allowable under the laws, requiring the examination by the attorney general.	
Received	1332
Substituted for S. F. 720	1332
Passed; ayes 39, nays 1	1367
Signed by President	1411
809 By Committee on Conservation of Resources. Authorizing the executive council to exchange certain state lands for other lands in Monona county, for park purposes.	
Referred	1561
On calendar	1636
810 By Committee on Judiciary. To legalize the transfer of funds by the city council of the city of Oskaloosa.	
Referred	1333
Recommends passage	1379
Passed; ayes 30, nays 0	1564
Signed by President	1612
811 By Committee on Judiciary. To legalize an election held at Oskaloosa.	
Passed the Senate; ayes 28, nays 0	1301
Signed by President	1349
813 By Committee on Schools and Text Books. Authorizing school district of Carpenter to issue warrants in excess of funds and tax levy to pay same.	
Placed on calendar	1515
Substituted for S. F. 731	1557
Passed; ayes 39, nays 0	1558
Signed by President	1612

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815. By Committee on Drainage. Drainage of meandered lakes, sale of lake beds, appropriation for expense incurred.		fund for taxes paid to the amount of the exemption for the year 1922.	
Referred	1523	Received	1422
Passed: ayes 36, nays 1.....	1689	Amendment adopted.....	1430
Signed by President.....	1700	Passed: ayes 49, nays 0.....	1430
816. By Committee on Drainage. Appropriation to pay drainage assessments against state owned land in connection with the drainage of Mud lake.		Signed by President.....	1432
Referred	1522	826. By Sifting Committee. To legalize warrants issued by Dickinson county.	
Passed: ayes 34, nays 0.....	1633	Referred	1574
Signed by President.....	1686	Passed: ayes 34, nays 0.....	1587
818. By Committee on Land Titles. Appointment by the governor of a commission on land titles, defining its duties and compensation.		Signed by President.....	1644
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Substituted for S. F. 738.....	1558	Referred	1561
Passed: ayes 33, nays 0.....	1558	On calendar.....	1574
Signed by President.....	1612	Amended, passed: ayes 33, nays 0.....	1558
820. By Committee on Conservation of Resources. Issuance of permits and licenses for the construction, maintenance and operation of dams in navigable and meandered streams and other watercourses.		Signed by President.....	1666
Referred	1609	828. By Sifting Committee. Board of directors of independent and city or town school districts may in certain cases transfer any excess in general fund to the school house fund.	
821. By Committee on Railroads. Powers and duties of the board of railroad commissioners and regulation of carriers. (C. C. 5177.)		Referred	1561
Received	1523	On calendar	1574
Substituted for S. F. 741.....	1597	Substituted for S. F. 747.....	1620
Passed: ayes 34, nays 6.....	1597	Passed: ayes 34, nays 0.....	1621
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823. By Committee on Judiciary. Procedure for appointing a tax on specific real estate when the title to different portions has become vested in different parties in severalty.		829. By Sifting Committee. Assessment of personal and real property. (C. C. 4493.)	
Referred	1609	Received	1661
Passed: ayes 37, nays 2.....	1694	Substituted for S. F. 750.....	1679
Signed by President.....	1700	Passed: ayes 42, nays 2.....	1680
824. By Committee on Military. Soldiers' exemption and re-		Signed by President.....	1695
		830. By Committee on Appropriations. Sale and use of anti-hog cholera serum and hog cholera virus and providing for a disposition of funds.	
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		831. By Sifting Committee. To authorize highway commission to build offices at Ames.	
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Leave of absence.....	535, 632, 857, 910, 1115, 1150, 1151, 1154, 1383, 1492, 1520

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Committee assignments.....	4, 130, 172, 759, 1086
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